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M. TULLII CICERONIS

ACTIONIS IN G. VERREM SECUNDAE LIBER QUINTUS

'*Etsi laudabilior est defensio, tamen etiam accusatio probata persaepe est . . . Sed hoc quidem non est saepe faciendum nec unquam nisi aut rei publicae causa, aut ulciscendi, aut patrocinii, ut nos pro Siculis.*'

Cic. *de Off.* II. 14. 50.

'*Cum essem in plurimis causis et in principibus patronis quinquennium fere versatus, tum in patrocinio Siciliensi maxime in certamen veni.*'

Cic. *Brut.*, § 319.

M. T. CICERONIS
ACTIONIS IN G. VERREM SECUNDAE

LIB. V.

(*DE SUPPLICIIS*)

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PREFACE

The chief editions consulted are those of Halm (Berlin, 1882), Richter-Eberhard (Leipzig, 1879), and Long (London, 1862). Frequent reference has also been made to Roby's and Madvig's Latin Grammars, Ramsay's *Manual of Antiquities*, and Smyth's *Sicily*.

INTRODUCTION

1. The prosecution of Gaius Verres for extortion took place in the year B.C. 70, in the consulship of Gnaeus Pompeius and Marcus Crassus. Cicero was then a rising advocate, thirty-seven years of age, steadily winning his way to a foremost place in his profession. Critical though the case was from Cicero's point of view—for on the success or failure of this, his first great public prosecution, his future career largely depended,—yet for us it derives its chief interest and importance from the nature of the charge, rather than from the individuality either of the defendant or prosecutor. For during the course of the prosecution many a side-light is thrown on the system of Roman provincial government: the wanton cruelty, oppression, and avarice to which the provincials were subjected at the hands of a rapacious and unprincipled governor are brought out into high relief: and though allowance be made for rhetorical exaggeration and the bitterness of personal enmity, there yet remains a lifelike portrait of a typical provincial ruler, of which the exaggerated light and shade serve merely to intensify the vivid reality of the main outlines.

2. The trial has further a certain political interest, which will be best understood from a brief survey of the attitude of parties at this period. Previous to the tribunate of the Gracchi (B.C. 133-123), the *iudicia* had been in the hands of the senate, but were transferred by those patriots to the equites: Sulla, however, during his dictatorship (B.C. 81-79) restored the judicial power to the senate, a change which was far from having satisfactory results. The senators proved themselves as venal in the administration of justice as they were feeble and incapable in the conduct of foreign affairs. The miserable weakness and inefficiency they displayed in the management of the wars against Sertorius, Spartacus, and the pirates; the open and acknowledged corruption of their tribunals; their oppression and maladministration of the provinces, gave additional force to the reiterated demands of the democratic party for the restitution of the political rights of which Sulla had deprived them. The hopes and aspirations of the democrats were strengthened by the adhesion to their party of Pompeius and Crassus, the two most powerful men at Rome at that time—the former, by reason of his popularity with the legions and his undoubted military ability; the latter, on account of his colossal wealth. The coalition thus formed in B.C. 71 sealed the fate of the Sullan constitution and insured the downfall of senatorial rule. Pompeius and Crassus were elected consuls for the following year, and immediately set to work to reverse Sulla's enactments.

The tribunician power was restored: the question of the *iudicia* was settled by the *lex Aurelia*, passed late in B.C. 70, by which it was ordained that the *iudices* should be chosen equally from the senators, equites, and tribuni aerarii; and finally the censorship, abolished by Sulla, was reinstituted.

3. It was during the excitement which preceded the passing of the *lex Aurelia*, but before the actual terms of the bill had been made known (cf. § 178, *cum primo agere coepimus, lex non erat promulgata*, and note), that the prosecution of Verres took place. Cicero constantly reminds the senatorial iudices how precarious was their tenure of the *iudicia*. He exhorts them to take this golden opportunity, '*tempus divinitus datum*,' to free their order from the infamy and contempt they had incurred: they as well as the accused, he said, were on their trial, for the eyes of all were upon them, jealously watching to see if they would condemn a wealthy criminal: the acquittal of Verres would be capable of but one interpretation; his just condemnation would insure the continued enjoyment of their judicial rights.

4. Gaius Verres (his gentile name is nowhere mentioned) was the son of C. Verres, a man of senatorial rank, as we learn from Cicero (bk. II. § 95). He makes his first appearance in history in the year B.C. 82, when he served as quaestor to Gnaeus Papirius Carbo, one of the leaders of the Marian party. He deserted him, however, at Ariminum, and went over to Sulla, taking with him the military chest (see § 152).

Sulla however seems to have viewed his new adherent with suspicion, though he rewarded his treachery with a grant of some confiscated territory at Beneventum (bk. I. § 38).

5. Verres next appears as legatus to Cn. Dolabella, praetor of Cilicia, B.C. 80-79, a man of kindred spirit with himself—cruel, rapacious, and extortionate. He rehearsed here all the enormities which he was to enact on a larger scale in Sicily, marking his progress through Achaia, even before he reached his province, by the most shameless acts of plunder and profligacy —*quacunque iter fecit, eius modi fuit ut non legatus populi Romani, set ut quaedam calamitas pervadere videretur* (bk. I. § 144). He proved himself not less faithless to Dolabella than he had been to Carbo; for when the former was impeached for extortion by M. Scaurus in B.C. 78, Verres gave evidence against him, and, stipulating for a pardon for himself, was chiefly instrumental in securing the condemnation of his chief.

6. With the plunder he had amassed in Cilicia, Verres purchased his election to the city-praetorship for B.C. 74, a magistracy which gave him an almost unlimited field for the display of his peculiar talents. In each single department of his office, Cicero shows that he violated his trust—robbing orphans, of whom he was the legal guardian, of their patrimony: imposing and appropriating heavy fines for neglect to repair public buildings: letting out contracts to those who feed him best: selling his edicts to the highest

bidders, or even revoking them when it was made worth his while, and issuing his verdicts in accordance with the wealth or poverty of the litigants, or the caprice and avarice of his mistress Chelidon (bk. I. § 103 foll.).

7. At the expiration of his city-praetorship, he obtained by lot, not without some suspicion, as Cicero hints, of fraudulent practices, the praetorship of Sicily, the richest and most flourishing of the Roman provinces, B.C. 73. Unfortunately for the province, his tenure of this office was extended for eighteen months beyond the legal year, as his destined successor, Q. Arrius, was detained in Italy by the servile war.

8. Cicero had been quaestor of Lilybaeum in B.C. 75, and had gained the goodwill and confidence of the Sicilians by the strict integrity and rigid impartiality of his administration. It was to him therefore that they now turned in their distress, begging him to undertake the prosecution of Verres, and seek redress for their grievances. Cicero was nothing loath, perhaps, to take the opportunity that presented itself of increasing his reputation in the law-courts. Hitherto he had confined himself exclusively to the less invidious part of his profession, appearing only as defender; he now however accepted the new *rôle* of prosecutor, and threw himself heartily into the cause of the Sicilians.

9. On his return to Rome in B.C. 70, Verres left no stone unturned for defeating his energetic adversary. He relied chiefly on the weapon that had served him

so well in previous cases, and even boasted that he had amassed sufficient wealth to enable him to live the rest of his days in comfort, even if he had to disgorge two-thirds of his ill-gotten gain in securing his acquittal. Bribes were even offered to Cicero himself, as he more than once leads us to believe; but he remained firm and above corruption, and the prosecution was inevitable. Verres had as his advocate the illustrious Quintus Hortensius, the foremost orator of the day and the acknowledged 'king of the law-courts'. Client and counsel set to work to hamper the prosecution by every legal shift and device that suggested itself. On the advice of Hortensius, Verres took advantage of a peculiarity of Roman law and put forward a creature of his own—one Q. Caecilius, who had been his quaestor—to contest with Cicero the right of undertaking the prosecution. When two or more persons thus appeared to claim the right of prosecuting the same man, they stated at length before the court the grounds on which they based their claims, and the judges decided between them: the process by which the court made choice between the rival claimants was called *Divinatio*. Cicero's speech on this occasion—*Divinatio in Q. Caecilium*—is still extant, and derives additional interest from the fact of its being the only specimen of the kind that has come down to us. The judges decided in Cicero's favour, and thus the first scheme of Verres was thwarted.

10. His ingenuity, however, or that of Hortensius,

soon suggested another device. With the object of setting up a sham prosecution, which should take precedence of Cicero's, he instigated a certain senator, whose name is unknown, to impeach him (Verres) for malversation in Achaia. Cicero had asked for 110 days in which to collect evidence in Sicily: the sham prosecutor undertook to be ready in 108 days, but according to Cicero never went even as far as Brundisium in search of evidence (Act. I. § 6). This scheme, however, was thwarted by the vigilance and assiduity of Cicero, who conducted his investigations in Sicily with such despatch, that he returned to Rome in 50 days with a host of witnesses and an overwhelming mass of evidence collected from every corner of the island.

11. Hortensius had now one last card to play, and he played it with the boldness of despair. If he could get the trial postponed till the following year all would be well: for Hortensius himself would be consul with Q. Metellus for his colleague; M. Metellus, a kinsman, or at least a partisan of Verres, would be praetor, before whom the case would be tried; and there would be more chance of empannelling a venal jury than there was under the present praetor, M. Glabrio, a man of undoubted integrity. His policy therefore was delay. The trial was fixed for 5th August, and the remainder of the year would be occupied by a rapid succession of public games and festivals, during which no legal business was conducted. Hortensius hoped, by means of these *dies*

nefasti, and those various legal delays and adjournments with which lawyers are so familiar, to be able to tide over the few remaining months of the year, when the case would come on afresh before a new praetor and new iudices, and under circumstances that would render the acquittal of his client an almost foregone conclusion. But Cicero was not thus to be baulked: his reputation was at stake, and he had, moreover, the additional spur of a private animosity against Verres, who had tried by lavish bribery to defeat his election to the curule aedileship. He therefore resolved to bring the case to a speedy conclusion, and dispensing with the usual long exordium, and giving up all hopes of oratorical display, he merely contented himself with a bare exposition of facts, supported by the undeniable testimony he had collected in Sicily (Act. I.). The result proved his wisdom. The trial lasted but nine days: the evidence against Verres was so strong, and the integrity of the iudices and the presiding magistrate so well known, that the verdict was never for a moment in doubt. Hortensius refused to cross-examine the witnesses, thus practically throwing up the case (cf. § 155 of this speech), and Verres himself, even before the completion of the trial, retired into voluntary exile at Massilia. He was condemned in his absence to outlawry and a fine of two and a half times the amount of his extortions. He lived in exile till B.C. 43, when he was proscribed by M. Antonius for refusing, as Pliny informs us (*Hist. Nat.* 34, § 6), to

give up some Corinthian bronzes which the latter coveted. He had the satisfaction, however, before he died, of hearing of the murder of Cicero, his uncompromising and relentless foe.

12. The only two speeches actually delivered in the Verrine prosecution were the *Divinatio in Caecilium* and the *Actio prima*. The remaining five that have come down to us as the second Actio were compiled by Cicero after the trial from the evidence he had collected in Sicily. Though never orally delivered, Cicero has contrived to impart to them such an air of vividness and reality that it is difficult to imagine, as we read them, that they are merely rhetorical exercises. The *first* of these five speeches deals with the early public life of Verres as quaestor and legatus, and subsequently as praetor urbanus: whence the old grammarians have given it the title '*de praetura urbana*'. The *second*—'*de iudiciis sive de praetura Siciliensi*'—exposes his arbitrary and mercenary administration of justice in Sicily. The *third*—'*de frumento*'—explains his fraudulent proceedings with regard to the corn-supply. The *fourth*—'*de signis*'—details his thefts of statues and works of art. The *fifth*—'*de suppliciis*'—falls naturally into three parts: in the first (c. 2-16) Cicero shows that during the praetorship of Verres Sicily was free from slave-risings, and that Verres, for his own private objects, created imaginary suspicions of such revolts: the second part (17-52) deals with the question of the fleet, which Verres had, by appropriating

the funds voted for its maintenance, reduced to such a state of inefficiency, that the pirates had found it an easy prey; and shows how the praetor, to shield himself from the blame of these reverses, put the captains of the vessels to death with great cruelty: in the third part (53-67) Cicero charges Verres with the most heinous crime of which a Roman magistrate could be guilty—the torture and execution of Roman citizens without a full trial before the people, who alone could decide a question concerning the life and death of one of their number. It will be observed that the charges contained in the fifth book do not properly fall under the law for *repetundae* under which Verres was accused; Cicero has introduced them, with much rhetorical skill, at the very close of his accusation, to come with all the force of their enormity and leave a lasting impression on the minds of the judges as they retire to consider their verdict.

13. Halm considers the Verrine orations as one of the finest monuments of ancient eloquence. Besides their importance and interest for the antiquarian with respect to the information they contain on the subject of Roman provincial government, they have a special rhetorical value in the richness of their matter, the clearness of their proofs, the lofty swing and fire of their diction, and their varied and ever-changing style, which never suffers the interest of the reader to fail.

M. TULLII CICERONIS

ACTIONIS IN G. VERREM SECUNDAE LIBER QUINTUS

NEMINI video dubium esse, iudices, quin apertissime G. **1**
Verres in Sicilia sacra profanaque omnia et privatim et 1
publice spoliarit versatusque sit sine ulla non modo religione,
verum etiam dissimulatione in omni genere furandi atque
praedandi. Sed quaedam mihi magnifica et praeclara eius
defensio ostenditur, cui quem ad modum resistam, multo
mihi ante est, iudices, providendum. Ita enim causa
constituitur, provinciam Siciliam virtute istius et vigilantia
singulari dubiis formidolosisque temporibus a fugitivis
atque a belli periculis tutam esse servatam. Quid agam,
iudices? quo accusationis meae rationem conferam? quo me 2
vertam? ad omnes enim meos impetus quasi murus quidam
boni nomen imperatoris opponitur. Novi locum; video
ubi se iactaturus sit Hortensius: belli pericula, tempora
rei publicae, imperatorum penuriam commemorabit; tum
deprecabitur a vobis, tum etiam pro suo iure contendet, ne
patiamini talem imperatorem populo Romano Siculorum
testimoniis eripi, ne obteri laudem imperatoriam criminibus
avaritiae velitis. Non possum dissimulare, iudices, timeo,
ne G. Verres propter hanc eximiam virtutem in re militari 3
omnia, quae fecit, impune fecerit. Venit enim mihi in

mentem, in iudicio M'. Aquilii quantum auctoritatis, quan-
tum momenti oratio M. Antonii habuisse existimata sit:
qui, ut erat in dicendo non solum sapiens sed etiam fortis,
causa prope perorata ipsum adripuit M'. Aquilium con-
stituitque in conspectu omnium tunicamque eius a pectore
abscidit, ut cicatrices populus Romanus iudicesque aspicerent
adverso corpore exceptas; simul et de illo volnere, quod
ille in capite ab hostium duce acceperat, multa dixit eoque
adduxit eos, qui erant iudicaturi, vehementer ut vererentur,
ne, quem virum fortuna ex hostium telis eripuisset cum sibi
ipse non pepercisset, hic non ad populi Romani laudem sed
4 ad iudicum crudelitatem videretur esse servatus. Eadem
nunc ab illis defensionis ratio viaque temptatur, idem
quaeritur. Sit fur, sit sacrilegus, sit flagitiorum omnium
vitiorumque princeps: at est bonus imperator, at felix et ad
2 dubia rei publicae tempora reservandus. Non agam summo
iure tecum; non dicam id, quod debeam forsitan obtinere,
cum iudicium certa lege sit: non quid in re militari fortiter
feceris, sed quem ad modum manus ab alienis pecuniis
abstinueris, abs te doceri oportere; non, inquam, sic agam,
sed ita quaeram, quem ad modum te velle intellego, quae
tua opera et quanta fuerit in bello.

5 Quid dicis? an bello fugitivorum Siciliam virtute tua liberatam? magna laus et honesta oratio: sed tamen quo bello? nos enim post illud bellum, quod M'. Aquilius confecit, sic accepimus, nullum in Sicilia fugitivorum bellum fuisse. 'At in Italia fuit.' Fateor, et magnum quidem ac vehemens. Num igitur ex eo bello partem aliquam laudis adpetere conaris? num tibi illius victoriae gloriam cum M. Crasso aut Cn. Pompeio communicatam putas? non arbitror hoc etiam tuae deesse impudentiae, ut quicquam eius modi

dicere audeas. Obstitisti videlicet, ne ex Italia transire in
Siciliam fugitivorum copiae possent. Ubi? quando? qua
ex parte? cum aut ratibus aut navibus conarentur accedere?
nos enim nihil unquam prorsus audivimus; sed illud
audivimus, M. Crassi, fortissimi viri, virtute consilioque
factum, ne ratibus coniunctis freto fugitivi ad Messanam
transire possent; a quo illi conatu non tanto opere pro-
hibendi fuissent, si ulla in Sicilia praesidia ad illorum
adventum opposita putarentur. 'At cum esset in Italia 6
bellum tam prope a Sicilia, tamen in Sicilia non fuit.' Quid
mirum? ne cum in Sicilia quidem fuit eodem intervallo,
pars eius belli in Italiam ulla pervasit. Etenim propinquitas 3
locorum ad utram partem hoc loco profertur? utrum aditum
facilem hostibus an contagionem imitandi belli periculosam
fuisse? aditus omnis hominibus sine ulla facultate navium
non modo diiunctus sed etiam clausus est: ut illis, quibus
Siciliam propinquam fuisse dicis, facilius fuerit ad Oceanum
pervenire quam ad Peloridem accedere. Contagio autem 7
ista servilis belli cur abs te potius quam ab eis omnibus, qui
ceteras provincias obtinuerunt, praedicatur? an quod in
Sicilia iam antea bella fugitivorum fuerunt? at ea ipsa
causa est, cur ista provincia minimo in periculo sit et fuerit.
Nam postea quam illinc M'. Aquilius decessit, omnium
instituta atque edicta praetorum fuerunt eius modi, ut ne
quis cum telo servus esset. Vetus est, quod dicam, et
propter severitatem exempli nemini fortasse vestrum inaudi-
tum: L. Domitium praetorem in Sicilia, cum aper ingens
ad eum adlatus esset, admiratum requisisse, quis eum per-
cussisset; cum audisset pastorem cuiusdam fuisse, eum
vocari ad se iussisse; illum cupide ad praetorem quasi ad
laudem atque ad praemium adcucurrisse; quaesisse Domi-

tium, qui tantam bestiam percussisset; illum respondisse, venabulo; statim deinde iussu praetoris in crucem esse sublatum. Durum hoc fortasse videatur; neque ego ullam in partem disputo: tantum intellego, maluisse Domitium
4 crudelem in animadvertendo quam in praetermittendo
8 dissolutum videri. Ergo his institutis provinciae iam tum, cum bello sociorum tota Italia arderet, homo non acerrimus nec fortissimus, C. Norbanus, in summo otio fuit; perfacile enim sese Sicilia iam tuebatur, ut ne quod ex ipsa bellum posset exsistere. Etenim cum nihil tam coniunctum sit quam negotiatores nostri cum Siculis usu, re, ratione, concordia, et cum ipsi Siculi res suas ita constitutas habeant, ut eis pacem expediat esse, imperium autem populi Romani sic diligant, ut id imminui aut commutari minime velint, cumque haec a servorum bello pericula et praetorum institutis et dominorum disciplina provisa sint: nullum est malum domesticum quod ex ipsa provincia nasci possit.

9 Quid igitur? nulline motus in Sicilia servorum Verre praetore, nullaene consensiones factae esse dicuntur? nihil sane, quod ad senatum populumque Romanum pervenerit, nihil, quod iste publice Romam scripserit: et tamen coeptum esse in Sicilia moveri aliquot locis servitium suspicor. Id adeo non tam ex re quam ex istius factis decretisque cognosco. Ac videte, quam non inimico animo sim acturus: ego ipse haec, quae ille quaerit, quae adhuc nunquam audistis, commemorabo et proferam.

10 In Triocalino, quem locum fugitivi iam ante tenuerant, Leonidae cuiusdam Siculi familia in suspicionem est vocata coniurationis. Res delata ad istum. Statim, ut par fuit, iussu eius homines, qui fuerant nominati, comprehensi sunt adductique Lilybaeum; domino denuntiatum est, causa

dicta, damnati. Quid deinde? quid censetis? furtum **5**
fortasse aut praedam exspectatis aliquam. Nolite usque quaque idem quaerere: in metu belli furandi locus qui potest esse? etiam si qua fuit in hac re occasio, praetermissa est. Tum potuit a Leonida nummorum aliquid auferre, cum denuntiavit, ut adesset; fuit nundinatio aliqua, et isti non nova, ne causam dicerent; etiam alter locus, ut absolverentur: damnatis quidem servis quae praedandi potest esse ratio? produci ad supplicium necesse est. Testes enim sunt, qui in consilio fuerunt, testes publicae tabulae, testis splendidissima civitas Lilybaetana, testis honestissimus maximusque conventus civium Romanorum. Fieri nihil potest: producendi sunt. Itaque producuntur et ad palum adligantur. Etiam nunc mihi exspectare videmini, iudices, quid deinde factum sit, quod iste nihil 11
unquam fecit sine aliquo quaestu atque praeda. Quid in eius modi re fieri potuit? quod commodum est exspectate facinus quam voltis improbum, vincam tamen exspectationem omnium: homines sceleris coniurationisque damnati, ad supplicium traditi, ad palum adligati, repente multis milibus hominum inspectantibus soluti sunt et Triocalino illi domino redditi.

Quid hoc loco potes dicere, homo amentissime, nisi id, quod ego non quaero, quod denique in re tam nefaria, tametsi dubitari non potest, tamen ne si dubitetur quidem quaeri oporteat, quid aut quantum aut quo modo acceperis? remitto tibi hoc totum atque ista te cura libero. Neque enim metuo, ne hoc cuiquam persuadeatur, ut, ad quod facinus nemo praeter te ulla pecunia adduci potuerit, id tu gratis suscipere conatus sis. Verum de ista furandi praedandique ratione nihil dico: de hac imperatoria iam tua

6 laude disputo. Quid ais, bone custos defensorque provinciae?
12 tu quos servos arma capere et bellum facere in Sicilia
voluisse cognoras et de consilii sententia iudicaras, hos ad
supplicium iam more maiorum traditos ex media morte
eripere ac liberare ausus es, ut, quam damnatis crucem
servis fixeras, hanc indemnatis videlicet civibus Romanis
reservares. Perditae civitates desperatis iam omnibus
rebus hos solent exitus exitiales habere, ut damnati in
integrum restituantur, vincti solvantur, exsules reducantur,
res iudicatae rescindantur. Quae cum accidunt, nemo est
quin intellegat ruere illam rem publicam; haec ubi eveniunt,
nemo est, qui ullam spem salutis reliquam esse arbitretur.
13 Atque haec, sicubi facta sunt, facta sunt ut homines
populares aut nobiles supplicio aut exsilio levarentur: at
non ab eis ipsis qui iudicassent, at non statim, at non eorum
facinorum damnati, quae ad vitam et ad fortunas omnium
pertinerent. Hoc vero novum et eius modi est, ut magis
propter reum, quam propter rem ipsam credibile videatur:
ut homines servos, ut ipse qui iudicarat, ut statim e medio
supplicio dimiserit, ut eius facinoris damnatos servos, quod
ad omnium liberorum caput et sanguinem pertineret. O
14 praeclarum imperatorem nec iam cum M'. Aquilio fortissimo
viro, sed vero cum Paullis, Scipionibus, Mariis conferendum!
tantumne vidisse in metu periculoque provinciae! cum
servitiorum animos in Sicilia suspensos propter bellum
Italiae fugitivorum videret: ne quis se commovere auderet,
quantum terroris iniecit! comprehendi iussit: quis non
pertimescat? causam dicere dominos: quid servo tam formidolosum? 'fecisse videri' pronuntiat; exortam videtur
flammam paucorum dolore ac morte restinxisse. Quid
deinde sequitur? verbera atque ignes et illa extrema ad

supplicium damnatorum, metum ceterorum, cruciatus et crux? hisce omnibus suppliciis sunt liberati. Quis dubitet quin servorum animos summa formidine oppresserit, cum viderent ea facilitate praetorem, ut ab eo servorum sceleris coniurationisque damnatorum vita vel ipso carnifice internuntio redimeretur?

Quid? hoc in Apolloniensi Aristodamo, quid? in Leonte **7**
Imacharensi non idem fecisti? quid? iste motus servitiorum 15
belli que subita suspicio utrum tibi tandem diligentiam custodiendae provinciae an novam rationem improbissimi quaestus attulit? Halicyensis Eumenidae, nobilis hominis et honesti, magnae pecuniae vilicus cum impulsu tuo insimulatus esset, sestertium LX milia a domino accepisti; quod nuper ipse iuratus docuit quem ad modum gestum esset. Ab equite Romano C. Matrinio absente, cum is esset Romae, quod eius vilicos pastoresque tibi in suspicionem venisse dixeras, sestertium DC milia abstulisti. Dixit hoc L. Flavius, qui tibi eam pecuniam numeravit, procurator C. Matrinii; dixit ipse Matrinius; dicit vir clarissimus Cn. Lentulus censor, qui Matrinii honoris causa recenti negotio ad te litteras misit mittendasque curavit.

Quid? de Apollonio, Dioclis filio, Panhormitano, cui 16
Gemino cognomen est, praeteriri potest? ecquid hoc tota Sicilia clarius, ecquid indignius, ecquid manifestius proferri potest? quem, ut Panhormum venit, ad se vocari et de tribunali citari iussit concursu magno frequentiaque conventus. Homines statim loqui: 'mirabar, quod Apollonius, homo pecuniosus, tam diu ab isto maneret integer: excogitavit nescio quid, attulit; profecto homo dives repente a Verre non sine causa citatur.' Exspectatio summa hominum, quidnam id esset, cum exanimatus subito

ipse adcurrit cum adulescente filio; nam pater grandis
17 natu iam diu lecto tenebatur. Nominat iste servum, quem
natu magistrum pecoris esse diceret; eum dicit coniurasse
et familias concitasse: is omnino servus in familia non erat.
Eum statim exhiberi iubet. Apollonius adfirmare se
omnino nomine illo servum habere neminem. Iste hominem
abripi a tribunali et in carcerem conici iubet. Clamare ille
cum raperetur, nihil se miserum fecisse, nihil commisisse;
pecuniam sibi esse in nominibus, numeratam in praesentia
non habere. Haec cum maxime summa hominum frequentia
testificaretur, ut quivis intellegere posset eum, quod
pecuniam non dedisset, idcirco illa tam acerba iniuria adfici
—cum maxime, ut dico, hoc de pecunia clamaret, in vincla
8 coniectus est. Videte constantiam praetoris, et eius prae-
18 toris, qui in his rebus non ita defendatur ut mediocris
praetor, sed ita laudetur ut optimus imperator. Cum
servorum bellum metueretur, quo supplicio dominos indem-
natos adficiebat, hoc servos damnatos liberabat: Apollonium,
hominem locupletissimum, qui, si fugitivi bellum in Sicilia
facerent, amplissimas fortunas amitteret, belli fugitivorum
nomine, indicta causa, in vincla coniecit; servos, quos ipse
cum consilio belli faciendi causa consensisse iudicavit, eos
19 sine consilii sententia sua sponte omni supplicio liberavit.
Quid? si aliquid ab Apollonio commissum est, quam ob
rem in eum iure animadverteretur, tamenne hanc rem sic
agemus, ut crimini aut invidiae reo putemus esse oportere,
si quo de homine severius iudicaverit? non agam tam
acerbe; non utar ista accusatoria consuetudine, si quid est
factum clementer, ut dissolute factum criminer; si quid
vindicatum est severe, ut ex eo crudelitatis invidiam
colligam; non agam ista ratione: tua sequar iudicia, tuam

defendam auctoritatem, quoad tu voles; simul ac tute
coeperis tua iudicia rescindere, mihi suscensere desinito;
meo iure enim contendam eum, qui suo iudicio damnatus
sit, iuratorum iudicum sententiis damnari oportere. Non 20
defendam Apollonii causam, amici atque hospitis mei, ne
tuum iudicium videar rescindere; nihil de hominis frugal-
itate, virtute, diligentia dicam; praetermittam illud etiam,
de quo ante dixi, fortunas eius ita constitutas fuisse familia,
pecore, villis, pecuniis creditis, ut nemini minus expediret
ullum in Sicilia tumultum aut bellum commoveri; non
dicam ne illud quidem, si maxime in culpa fuerit Apollonius,
tamen in hominem maximae civitatis honestissimum tam
graviter animadverti causa indicta non oportuisse. Nullam 21
in te invidiam ne ex illis quidem rebus concitabo, cum esset
talis vir in carcere, in tenebris, in squalore, in sordibus,
tyrannicis interdictis tuis patri exacta aetate et adulescenti
filio adeundi ad illum miserum potestatem nunquam esse
factam. Etiam illud praeteribo, quotienscunque Panhormum
veneris illo anno et sex mensibus—nam tam diu fuit Apol-
lonius in carcere—, totiens te senatum Panhormitanum
adisse supplicem cum magistratibus sacerdotibusque
publicis orantem atque obsecrantem, ut aliquando ille
miser atque innocens calamitate illa liberaretur. Relinquo
haec omnia: quae si velim persequi, facile ostendam tua 9
crudelitate in alios omnes tibi aditus misericordiae iudicum 22
iam pridem esse praeclusos; omnia tibi ista concedam et
remittam: provideo enim, quid sit defensurus Hortensius.
Fatebitur apud istum neque senectutem patris neque
adulescentiam filii neque lacrimas utriusque plus valuisse
quam utilitatem salutemque provinciae; dicet rem publicam
administrari sine metu ac severitate non posse; quaeret

quam ob rem fasces praetoribus praeferantur, cur secures datae, cur carcer aedificatus, cur tot supplicia sint in improbos more maiorum constituta. Quae cum omnia graviter severeque dixerit, quaeram cur hunc eundem Apollonium Verres idem repente, nulla re nova adlata, nulla defensione, sine causa de carcere emitti iusserit: tantumque in hoc crimine suspicionis esse adfirmabo, ut iam ipsis iudicibus sine mea argumentatione coniecturam facere permittam, quod hoc genus praedandi, quam improbum, quam indignum quamque ad magnitudinem quaestus
23 immensum infinitumque esse videatur. Nam quae iste in Apollonio fecit, ea primum breviter recognoscite quot et quanta sint; deiñde haec expendite atque aestimate pecunia: reperietis idcirco haec in uno homine pecunioso tot constituta, ut ceteris formidines similium incommodorum atque exempla periculorum proponeret. Primum insimulatio est repentina capitalis atque invidiosi criminis: statuite, quanti hoc putetis et quam multos redemisse; deinde crimen sine accusatore, sententia sine consilio, damnatio sine defensione: aestimate harum omnium rerum pretia et cogitate in his iniquitatibus unum haesisse Apollonium, ceteros, profecto multos, ex his incommodis pecunia se liberasse; postremo tenebrae, vincla, carcer, inclusum supplicium atque a conspectu parentium ac liberum, denique a libero spiritu atque a communi luce seclusum: haec vero, quae vel vita redimi recte possunt,
24 aestimare pecunia non queo. Haec omnia sero redemit Apollonius, iam maerore ac miseriis perditus, sed tamen ceteros docuit ante istius avaritiae scelerique occurrere: nisi vero existimatis hominem pecuniosissimum sine causa quaestus electum ad tam incredibile crimen, aut sine eadem

causa repente e carcere emissum, aut hoc praedandi genus
ab isto in illo uno adhibitum ac temptatum, et non per
illum omnibus pecuniosis Siculis metum propositum et
iniectum.

Cupio mihi ab ipso, iudices, subici, quoniam de militari **10**
eius gloria dico, si quid forte praetereo; nam mihi videor 25
iam de omnibus rebus eius gestis dixisse, quae quidem ad
belli fugitivorum suspicionem pertinerent; certe nihil sciens
praetermisi. Habetis hominis consilia, diligentiam, vigilan-
tiam, custodiam defensionemque provinciae. Summa illuc
pertinet, ut sciatis, quoniam plura genera sunt impera-
torum, ex quo genere iste sit, ne qui diutius in tanta
penuria virorum fortium talem imperatorem ignorare
possit. Non ad Q. Maximi sapientiam, neque ad illius
superioris Africani in re gerunda celeritatem, neque ad
huius, qui postea fuit, singulare consilium, neque ad Paulli
rationem ac disciplinam, neque ad C. Marii vim atque
virtutem—sed aliud genus imperatoris sane diligenter
retinendum et conservandum, quaeso, cognoscite. Itinerum 26
primum laborem, qui vel maximus est in re militari, iudices,
et in Sicilia maxime necessarius, accipite quam facilem sibi
iste et iucundum ratione consilioque reddiderit. Primum
temporibus hibernis ad magnitudinem frigorum et tempes-
tatum vim ac fluminum praeclarum hoc sibi remedium
compararat. Urbem Syracusas elegerat, cuius hic situs
atque haec natura esse loci caelique dicitur, ut nullus
umquam dies tam magna ac turbulenta tempestate fuerit,
quin aliquo tempore eius diei solem homines viderint. Hic
ita vivebat iste bonus imperator hibernis mensibus, ut eum
non facile non modo extra tectum sed ne extra lectum
quidem quisquam videret: ita diei brevitas conviviis, noctis

27 longitudo stupris et flagitiis continebatur. Cum autem ver esse coeperat,—cuius initium iste non a Favonio neque ab aliquo astro notabat, sed cum rosam viderat, tum incipere ver arbitrabatur—: dabat se labori atque itineribus; in quibus eo usque se praebebat patientem atque impigrum, ut eum nemo unquam in equo sedentem viderit.

11 Nam, ut mos fuit Bithyniae regibus, lectica octaphoro ferebatur, in qua pulvinus erat perlucidus Melitensis, rosa fartus; ipse autem coronam habebat unam in capite, alteram in collo, reticulumque ad nares sibi admovebat tenuissimo lino, minutis maculis, plenum rosae. Sic confecto itinere, cum ad aliquod oppidum venerat, eadem lectica usque in cubiculum deferebatur. Eo veniebant Siculorum magistratus, veniebant equites Romani, id quod ex multis iuratis audistis; controversiae secreto deferebantur, paullo post palam decreta auferebantur. Deinde, ubi paullisper in cubiculo pretio, non aequitate, iura discripserat, Veneri iam et Libero reliquum tempus deberi arbitrabatur.
28 Quo loco non mihi praetermittenda videtur praeclari imperatoris egregia ac singularis diligentia. Nam scitote oppidum esse in Sicilia nullum, ex eis oppidis, in quibus consistere praetores et conventum agere soleant, quo in oppido non isti ex aliqua familia non ignobili dilecta ad libidinem mulier esset. Itaque nonnullae ex eo numero in convivium adhibebantur palam; si quae castiores erant, ad tempus veniebant, lucem conventumque vitabant. Erant autem convivia non illo silentio populi Romani praetorum atque imperatorum neque eo pudore qui in magistratuum conviviis versari solet, sed cum maximo clamore atque convicio; nonnunquam etiam res ad pugnam atque ad manus vocabatur. Iste enim praetor severus ac diligens,

qui populi Romani legibus nunquam paruisset, illis legibus,
quae in poculis ponebantur, diligentur obtemperabat.
Itaque erant exitus eius modi, ut alius inter manus e con-
vivio tamquam e proelio auferretur, alius tamquam occisus
relinqueretur, plerique ut fusi sine mente ac sine ullo sensu
iacerent: ut quivis, cum aspexisset, non se praetoris con-
vivium, sed ut Cannensem pugnam nequitiae videre arbi-
traretur. Cum vero aestas summa esse coeperat, quod **12**
tempus omnes Siciliae semper praetores in itineribus con- 29
sumere consuerunt, propterea quod tunc putant obeundam
esse maxime provinciam, cum in areis frumenta sunt, quod
et familiae congregantur et magnitudo servitii perspicitur
et labor operis maxime offendit, frumenti copia commonet,
tempus anni non impedit: tum, inquam, cum concursant
ceteri praetores, iste novo quodam genere imperator
pulcherrimo Syracusarum loco stativa sibi castra faciebat.
Nam in ipso aditu atque ore portus, ubi primum ex alto 30
sinus ab litore ad urbem inflectitur, tabernacula carbaseis
intenta velis collocabat. Huc ex illa domo praetoria, quae
regis Hieronis fuit, sic emigrabat, ut eum per illos dies
nemo extra illum locum videre posset. In eum autem
ipsum locum aditus erat nemini, nisi qui aut socius aut
minister libidinis esse posset. Huc omnes mulieres, qui-
buscum iste consuerat, conveniebant, quarum incredibile
est quanta multitudo fuerit Syracusis; huc homines digni
istius amicitia, digni vita illa conviviisque veniebant.
Inter eius modi viros et mulieres adulta aetate filius versa-
batur, ut eum, etiam si natura a parentis similitudine
abriperet, consuetudo tamen ac disciplina patris similem
esse cogeret. Huc Tertia illa perducta per dolum atque 31
insidias [ab Rhodio tibicine] maximas in istius castris

effecisse dicitur turbas, cum indigne pateretur uxor Cleomenis Syracusani, nobilis mulier, itemque uxor Aeschrionis, honesto loco nata, in conventum suum mimi Isidori filiam venisse. Iste autem Hannibal, qui in suis castris virtute putaret oportere, non genere certari, sic hanc Tertiam
13 dilexit, ut eam secum ex provincia deportaret. Ac per eos dies, cum iste cum pallio purpureo talarique tunica versaretur in conviviis muliebribus, non offendebantur homines neque moleste ferebant abesse a foro magistratum, non ius dici, non iudicia fieri, locum illum litoris percrepare totum mulierum vocibus cantuque symphoniae, in foro silentium esse summum causarum atque iuris: non ferebant homines moleste; non enim ius abesse videbatur a foro neque iudicia, sed vis et crudelitas et bonorum acerba et indigna direptio.
32 Hunc tu igitur imperatorem esse defendis, Hortensi? huius furta, rapinas, cupiditatem, crudelitatem, superbiam, scelus, audaciam rerum gestarum magnitudine atque imperatoriis laudibus tegere conaris? Hic scilicet est metuendum, ne ad exitum defensionis tuae vetus illa Antoniana dicendi ratio atque auctoritas proferatur, ne excitetur Verres, ne denudetur a pectore, ne cicatrices populus Romanus aspiciat—ex mulierum morsu, vestigia libidinis
33 atque nequitiae. Di faciant, ut rei militaris, ut belli mentionem facere audeas! cognoscentur enim omnia istius aera illa vetera, ut non solum in imperio, verum etiam in stipendiis qualis fuerit intellegatis. Renovabitur prima illa militia, cum iste e foro abduci, non, ut ipse praedicat, perduci solebat, aleatoris Placentini castra commemorabuntur, in quibus cum frequens fuisset, tamen aere dirutus est; multa eius in stipendiis damna proferentur, quae ab
34 isto aetatis fructu dissoluta et compensata sunt. Iam vero,

cum in eius modi patientia turpitudinis aliena, non sua, satietate obduruisset, qui vir fuerit, quot praesidia, quam munita pudoris et pudicitiae vi et audacia ceperit, quid me attinet dicere ac coniungere cum istius flagitio cuiusquam praeterea dedecus? Non faciam, iudices; omnia vetera praetermittam: duo sola recentia sine cuiusquam infamia ponam, ex quibus coniecturam facere de omnibus possitis; unum illud, quod ita fuit illustre notumque omnibus, ut nemo tam rusticanus homo L. Lucullo M. Cotta consulibus Romam ex ullo municipio vadimonii causa venerit, quin sciret iura omnia praetoris urbani nutu atque arbitrio Chelidonis meretriculae gubernari: alterum, quod, cum paludatus exisset votaque pro imperio suo communique re publica nuncupasset, noctu stupri causa lectica in urbem introferri solitus est ad mulierem, nuptam uni, propositam omnibus, contra fas, contra auspicia, contra omnes divinas atque humanas religiones.

O di immortales! quid interest inter mentes hominum 14
et cogitationes! Ita mihi meam voluntatem spemque 35
reliquae vitae vestra populique Romani existimatio comprobet, ut ego, quos adhuc mihi magistratus populus Romanus mandavit, sic eos accepi, ut me omnium officiorum obstringi religione arbitrarer. Ita quaestor sum factus, ut mihi illum honorem tum non solum datum sed etiam creditum et commissum putarem; sic obtinui quaesturam in Sicilia provincia, ut omnium oculos in me unum coniectos esse arbitrarer, ut me quaesturamque meam quasi in aliquo terrarum orbis theatro versari existimarem, ut semper omnia, quae iucunda videntur esse, ea non modo his extraordinariis cupiditatibus sed etiam ipsi naturae ac
necessitati denegarem. Nunc sum designatus aedilis; 36

habeo rationem quid a populo Romano acceperim: mihi
ludos sanctissimos maxima cum cura et caerimonia Cereri,
Libero Liberaeque faciundos, mihi Floram matrem populo
plebique Romanae ludorum celebritate placandam, mihi
ludos antiquissimos, qui primi Romani appellati sunt, cum
dignitate maxima et religione Iovi, Iunoni Minervaeque
esse faciundos, mihi sacrarum aedium procurationem, mihi
totam urbem tuendam esse commissam; ob earum rerum
laborem et sollicitudinem fructus illos datos: antiquiorem
in senatu sententiae dicendae locum, togam praetextam,
sellam curulem, ius imaginis ad memoriam posteritatemque
37 prodendae. Ex his ego omnibus rebus, iudices—ita mihi
omnes deos propitios velim—etiam si mihi iucundissimus
est honos populi, tamen nequaquam capio tantum voluptatis,
quantum et sollicitudinis et laboris, ut haec ipso aedilitas,
non quia necesse fuerit, alicui candidato data, sed, quia sic
oportuerit, recte collocata et iudicio populi in loco esse
posita videatur.

15 Tu, cum esses praetor renuntiatus, quoquo modo—mitto
38 enim et praetereo, quid tum sit actum—, sed cum esses
renuntiatus, ut dixi, non ipsa praeconis voce excitatus es,
qui te totiens seniorum iuniorumque centuriis illo honore
adfici pronuntiavit, ut hoc putares, aliquam rei publicae
partem tibi creditam? annum tibi illum unum domo caren-
dum esse meretricis? cum tibi sorte obtigisset, uti ius
diceres, quantum negotii, quid oneris haberes, nunquam
cogitasti? neque illud rationis habuisti,—si forte experge-
facere te posses—, eam provinciam, quam tueri singulari
sapientia atque integritate difficile esset, ad summam
stultitiam nequitiamque venisse? itaque non modo a domo
tua Chelidonem in praetura excludere noluisti, sed in

Chelidonis domum praeturam totam detulisti. Secuta pro- 39
vincia est: in qua nunquam tibi venit in mentem, non tibi
idcirco fasces ac secures et tantam imperii vim tantamque
ornamentorum omnium dignitatem datam, ut earum rerum
vi et auctoritate omnia repagula pudoris officiique per-
fringeres, ut omnium bona praedam tuam duceres, ut nullius
res tuta, nullius domus clausa, nullius vita saepta, nullius
pudicitia munita contra tuam cupiditatem et audaciam
posset esse: in qua ut te ita gessisti, ut, omnibus cum
teneare rebus, ad bellum fugitivorum confugias; ex quo
iam intellegis non modo nullam tibi defensionem sed
maximam vim criminum exortam: nisi forte Italici fugiti-
vorum belli reliquias atque illud Tempsanum incommodum
proferes, ad quod recens cum te peropportune fortuna
attulisset, si quid in te virtutis aut industriae habuisses,
idem qui semper fueras inventus es. Cum ad te Valentini 16
venissent et pro eis homo disertus ac nobilis, M. Marius, 40
loqueretur, ut negotium susciperes, ut, cum penes te
praetorium imperium ac nomen esset, ad illam parvam
manum exstinguendam ducem te principemque praeberes,
non modo id refugisti, sed eo ipso tempore, cum esses in
litore, Tertia illa tua, quam tu tecum deportaras, erat in
omnium conspectu; ipsis autem Valentinis, ex tam illustri
nobilique municipio, tantis de rebus responsum dedisti,
cum esses cum tunica pulla et pallio. Quid hunc proficis-
centem, quid in ipsa provincia fecisse existimatis, qui,
cum iam ex provincia non ad triumphum sed ad iudicium
decederet, ne illam quidem infamiam fugerit, quam sine
ulla voluptate capiebat? O divina senatus frequentis in 41
aede Bellonae admurmuratio! Memoria tenetis, iudices,
cum advesperasceret et paullo ante esset de hoc Tempsano

incommodo nuntiatum, cum inveniretur nemo qui in illa loca cum imperio mitteretur, dixissetque quidam Verrem esse non longe a Tempsa, quam valde universi admurmuraverint, quam palam principes dixerint contra! Et his tot criminibus testimoniisque convictus in eorum tabella spem sibi aliquam proponit, quorum omnium palam causa incognita voce damnatus est?

17 Esto; nihil ex fugitivorum bello aut suspicione belli
42 laudis adeptus est, quod neque bellum eius modi neque
belli periculum fuit in Sicilia neque ab isto provisum est
ne quod esset: at vero contra bellum praedonum classem
habuit ornatam diligentiamque in eo singularem; itaque
ab isto praeclare defensa provincia est. Sic de bello
praedonum, sic de classe Siciliensi, iudices, dicam, ut
hoc iam ante confirmem, in hoc uno genere omnes inesse
culpas istius maximas, avaritiae, maiestatis, dementiae,
libidinis, crudelitatis. Haec dum breviter expono, quaeso,
ut fecistis adhuc, diligenter attendite.

43 Rem navalem primum ita dico esse administratam, non
uti provincia defenderetur, sed uti classis nomine pecunia
quaereretur. Superiorum praetorum consuetudo cum haec
fuisset, ut naves civitatibus certusque numerus nautarum
militumque imperaretur, maximae et locupletissimae civitati
Mamertinae nihil horum imperavisti. Ob hanc rem quid
tibi Mamertini clam pecuniae dederint, post, si videbitur,
44 ex ipsorum litteris testibusque quaeremus; navem vero
cybaeam maximam, triremis instar, palam aedificatam
sumptu publico, tuo nomine, publice, sciente tota Sicilia
per magistratum senatumque Mamertinum tibi datam
donatamque esse dico. Haec navis, onusta praeda Sicili-
ensi, cum ipsa quoque esset ex praeda, simul cum ipse

decederet, adpulsa Veliam est cum plurimis rebus, et eis, quas
iste Romam mittere cum ceteris furtis noluit, quod erant
carissimae maximeque eum delectabant. Eam navem nuper
egomet vidi Veliae multique alii viderunt, pulcherrimam
atque ornatissimam, iudices: quae quidem omnibus, qui eam
aspexerant, prospectare iam exsilium atque explorare fugam
domini videbatur. Quid mihi hoc loco respondebis? Nisi 18
forte id, quod tametsi probari nullo modo potest, tamen 45
dici quidem in iudicio de pecuniis repetundis necesse est, de
tua pecunia aedificatam esse [navem]? Aude hoc saltem
dicere, quod necesse est. Noli metuere, Hortensi, ne quae-
ram, qui licuerit aedificare navem senatori. Antiquae sunt
istae leges et mortuae, quem ad modum tu soles dicere,
quae vetant. Fuit ista res publica quondam, fuit ista
severitas in iudiciis, ut istam rem accusator in magnis cri-
minibus obiciendam putaret. Quid enim tibi navi? Qui si
quo publice proficisceris, praesidii et vecturae causa sumptu
publico navigia praebentur; privatim autem nec proficisci
quoquam potes nec arcessere res transmarinas ex eis locis, in
quibus te habere nihil licet. Deinde cur quicquam contra 46
leges parasti? Valeret hoc crimen in illa vetere severitate
ac dignitate rei publicae; nunc non modo te hoc crimine
non arguo, sed ne illa quidem communi vituperatione
reprehendo: tu tibi hoc nunquam turpe, nunquam
criminosum, nunquam invidiosum fore putasti, celeberrimo
loco palam tibi aedificari onerariam navem in provincia,
quam tu cum imperio obtinebas? Quid eos loqui qui
videbant, quid existimare eos qui audiebant arbitrabare?
inanem te navem esse illam in Italiam adducturum?
navicularium, cum Romam venisses, esse facturum? Ne
illud quidem quisquam poterat suspicari, te in Italia

maritimum habere fundum et ad fructus deportandos
onerariam navem comparare. Eius modi voluisti de te
sermonem esse omnium, palam ut loquerentur te illam
navem parare, quae praedam ex Sicilia deportaret et ad
47 ea furta, quae reliquisses, commearet. Verum haec omnia,
si doces navem de tua pecunia aedificatam, remitto atque
concedo. Sed hoc, homo amentissime, non intellegis priore
actione ab istis ipsis Mamertinis tuis laudatoribus esse
sublatum? Nam dixit Heius, princeps istius legationis,
quae ad tuam laudationem missa est, navem tibi operis
publicis Mamertinorum esse factam eique faciendae se-
natorem Mamertinum publice praefuisse. Reliqua est
materies. Hanc Reginis, ut ipsi dicunt—tametsi tu negare
non potes—publice, quod Mamertini materiem non habent,
19 imperavisti. Si et ex quo fit navis et qui faciunt, imperio
tibi tuo, non pretio praesto fuerunt, ubi tandem istud
latet, quod tu de tua pecunia dicis impensum? 'At
48 Mamertini in tabulis nihil habent.' Primum video potuisse
fieri, ut ex aerario nihil darent; etenim vel Capitolium,
sicut apud maiores nostros factum est, publice coactis
fabris operisque imperatis, gratis exaedificari atque effici
potuit: deinde perspicio—id quod ostendam, cum ipsos
produxero, ipsorum ex litteris—multas pecunias isti erogatas
in operum locationes falsas atque inanes esse perscriptas.
Iam illud minime mirum est, Mamertinos, a quo summum
beneficium acceperant, quem sibi amiciorem quam populo
Romano esse cognoverant, eius capiti litteris suis pepercisse.
Sed si argumento est Mamertinos tibi pecuniam non
dedisse, quia scriptum non habent, sit argumento tibi
gratis stare navem, quia, quid emeris aut quid locaris,
scriptum proferre non potes.

At enim idcirco navem Mamertinis non imperasti, quod 49
sunt foederati. Di adprobent! Habemus hominem in
fetialium manibus educatum, unum praeter ceteros in
publicis religionibus foederum sanctum ac diligentem:
omnes qui ante te fuerunt praetores dedantur Mamertinis,
quod eis navem contra pactionem foederis imperarint.
Sed tamen tu, sancte homo ac religiose, cur Tauromenitanis
item foederatis navem imperasti? An hoc probabis, in
aequa causa populorum sine pretio varium ius et disparem
condicionem fuisse? Quid? Si eius modi esse haec duo 50
foedera duorum populorum, iudices, doceo, ut Tauro-
menitanis nominatim cautum et exceptum sit foedere *ne
navem dare debeant*, Mamertinis in ipso foedere sanctum
atque praescriptum sit *ut navem dare necesse sit*, istum
autem contra foedus et Tauromenitanis imperasse et
Mamertinis remisisse: numquid dubium poterit esse, quin
Verre praetore plus Mamertinis cybaea quam Tauro-
menitanis foedus opitulatum sit? Recitentur foedera.—
Isto igitur tuo, quem ad modum ipse praedicas, beneficio, **20**
ut res indicat, pretio atque mercede, minuisti maiestatem
rei publicae, minuisti auxilia populi Romani, minuisti
copias maiorum virtute ac sapientia comparatas; sustulisti
ius imperii, condicionem sociorum, memoriam foederis.
Qui ex foedere ipso navem vel usque ad Oceanum, si
imperassemus, sumptu, periculoque suo armatam atque
ornatam mittere debuerunt, ei, ne in freto ante sua tecta
et domos navigarent, ne sua moenia portusque defenderent,
pretio abs te ius foederis et imperii condicionem redem-
erunt. Quid censetis in hoc foedere faciendo voluisse 51
Mamertinos impendere laboris, operae, pecuniae, ne haec
biremis ascriberetur, si id ullo modo possent a nostris

maioribus impetrare? Nam cum hoc munus imponebatur tam grave civitati, inerat nescio quo modo in illo foedere societatis quasi quaedam nota servitutis. Quod tum, recentibus suis officiis, integra re, nullis populi Romani difficultatibus a maioribus nostris foedere adsequi non potuerunt, id nunc, nullo officio suo, tot annis post, iure imperii nostri quotannis usurpatum ac semper retentum, summa in difficultate navium, a C. Verre pretio adsecuti sunt, ac non hoc solum adsecuti, ne navem darent: ecquem nautam, ecquem militem qui aut in classe aut in praesidio esset, te praetore per triennium Mamertini dederunt?

21 Denique cum ex senatus consulto itemque ex Terentia
52 et Cassia frumentum aequabiliter emi ab omnibus Siciliae
civitatibus oporteret, id quoque munus leve atque com-
mune Mamertinis remisisti. Dices frumentum Mamer-
tinos non debere. Quo modo non debere? An, ut ne
venderent? Non enim erat hoc genus frumenti ex eo
genere quod exigeretur, sed ex eo quod emeretur. Te
igitur auctore et interprete ne foro quidem et commeatu
53 Mamertini iuvare populum Romanum debuerunt. Quae
tandem civitas fuit quae deberet? Qui publicos agros
arant certum est quid e lege censoria debeant: cur his
quicquam praeterea ex alio genere imperasti? Quid de-
cumani? Num quid praeter singulas decumas ex lege
Hieronica debent? Cur his quoque statuisti quantum
ex hoc genere frumenti empti darent? Quid immunes?
Hi certe nihil debent. At eis non modo imperasti, verum
etiam, quo plus darent quam poterant, haec sexagena
milia modium, quae Mamertinis remiseras, addidisti.
Neque hoc dico, ceteris non recte imperatum: sed Mamer-
tinis, qui erant in eadem causa et quibus superiores omnes

item ut ceteris imperarant pecuniamque ex senatus consulto et ex lege dissolverant, his dico non recte remissum. Et ut hoc beneficium, quem ad modum dicitur, trabali clavo figeret, cum consilio causam Mamertinorum cognoscit et de consilii sententia Mamertinis se frumentum non imperare pronuntiat. Audite decretum mercenarii prae- 54
toris ex ipsius commentario et cognoscite, quanta in scribendo gravitas, quanta in constituendo iure sit auctoritas. Recita commentarium.—'D. C. S. libenter' ait se facere, itaque perscribit. Quid? Si hoc verbo non esses usus, 'libenter', nos videlicet invitum te quaestum facere putaremus? Ac 'de consilii sententia.' Praeclarum recitari consilium, iudices, audistis. Utrum vobis consilium tandem praetoris recitari videbatur, cum audiebatis nomina, an praedonis improbissimi societas atque comitatus? En 55
foederum interpretes, societatis pactores, religionis auctores! Nunquam in Sicilia frumentum publice est emptum, quin Mamertinis pro portione imperaretur, ante quam hoc delectum praeclarumque consilium iste dedit, ut ab his nummos acciperet ac sui similis esset. Itaque tantum valuit istius decreti auctoritas, quantum debuit eius hominis, qui, a quibus frumentum emere debuisset, eis decretum vendidisset. Nam statim L. Metellus, ut isti successit, ex C. Sacerdotis et ex Sex. Peducaei instituto ac litteris frumentum Mamertinis imperavit. Tum illi intellexerunt se id, quod a malo auctore emissent, diutius obtinere non posse.

Age porro, tu, qui tam religiosum existimari te voluisti 22
interpretem foederum, cur Tauromenitanis frumentum, cur 56
Netinis imperasti? quarum civitatum utraque foederata est. Ac Netini quidem sibi non defuerunt ac, simul pro-

nuntiasti 'libenter' te Mamertinis remittere, adierunt te et eandem suam causam foederis esse docuerunt. Tu aliter decernere eadem in causa non potuisti; pronuntias Netinos frumentum dare non debere,—et ab his tamen exigis. Cedo mihi eiusdem praetoris litteras et rerum decretarum et frumenti imperati. LITTERAE RERUM DECRETARUM. Quid potius in hac tanta et tam turpi inconstantia suspicari possumus, iudices, quam, id quod necesse est, aut isti a Netinis pecuniam, cum posceret, non datam, aut id esse actum, ut intellegerent Mamertini, bene se apud istum tam multa pretia ac munera collocasse, cum idem alii iuris ex eadem causa non obtinerent?

57 Hic mihi etiam audebit mentionem facere Mamertinae laudationis! in qua quam multa sint volnera, quis est vestrum, iudices, quin intellegat? primum ut in iudiciis qui decem laudatores dare non potest, honestius est ei nullum dare quam illum quasi legitimum numerum consuetudinis non explere. Tot in Sicilia civitates sunt, quibus tu per triennium praefuisti: arguunt ceterae, paucae et parvae et metu repressae silent, una laudat:—hoc quid est nisi intellegere, quid habeat utilitatis vera laudatio, sed tamen ita provinciae praefuisse, ut hac utilitate neces-
58 sario sit carendum? deinde, quod alio loco antea dixi, quae est ista tandem laudatio, cuius laudationis legati et principes et publice tibi navem aedificatam et privatim se ipsos abs te spoliatos expilatosque esse dixerunt? Postremo quid aliud isti faciunt, cum te soli ex Sicilia laudant, nisi testimonio nobis sunt, omnia te sibi esse largitum, quae tu de re publica nostra detraxeris? quae colonia est in Italia tam bono iure, quod tam immune municipium, quod per hosce annos tam commoda vacatione omnium

rerum sit usum quam Mamertina civitas? per triennium soli, ex foedere quod debuerunt, non dederunt; soli isto praetore omnium rerum immunes fuerunt; soli in istius imperio ea condicione vixerunt, ut populo Romano nihil darent, Verri nihil negarent.

Verum ut ad classem, quo ex loco sum digressus, re- 23
vertar, accepisti a Mamertinis navem contra leges, remisisti 59
contra foedera. Ita in una civitate bis improbus fuisti, cum et remisisti quod non oportebat, et accepisti quod non licebat. Exigere te oportuit navem, quae contra praedones, non quae cum praeda navigaret, quae defenderet ne provincia spoliaretur, non quae provinciae spolia portaret. Mamertini tibi et urbem, quo furta undique deportares, et navem, in qua exportares, praebuerunt; illud tibi oppidum receptaculum praedae fuit, illi homines testes custodesque furtorum, illi tibi et locum furtis et furtorum vehiculum comparaverunt. Itaque ne tum quidem, cum classem avaritia ac nequitia tua perdidisti, Mamertinis navem imperare ausus es: quo tempore in tanta inopia navium tantaque calamitate provinciae, etiam si precario essent rogandi, tamen ab eis impetraretur. Reprimebat enim tibi et imperandi vim et rogandi conatum praeclara illa, non populo Romano reddita biremis, sed praetori donata cybaea: ea fuit merces imperii, auxilii, iuris, consuetudinis, foederis.

Habetis unius civitatis firmum auxilium amissum ac 60
venditum pretio: cognoscite nunc novam praedandi rationem, ab hoc primum excogitatam. Sumptum omnem 24
in classem frumento, stipendio ceterisque rebus suo quaeque nauarcho civitas semper dare solebat. Is neque ut accusaretur a nautis committere audebat, et civibus suis

rationes referre debebat, et in illo omni negotio non modo labore sed etiam periculo suo versabatur. Erat hoc, ut dico, factitatum semper, nec solum in Sicilia, sed in omnibus provinciis, etiam in sociorum et Latinorum stipendio ac sumptu, tum cum illorum auxiliis uti solebamus: Verres post imperium constitutum primus imperavit, ut ea pecunia omnis a civitatibus sibi adnumeraretur, ut is eam pecuniam
61 tractaret, quem ipse praefecisset. Cui potest esse dubium, quam ob rem et omnium consuetudinem veterem primus immutaris et tantam utilitatem per alios tractandae pecuniae neglexeris et tantam difficultatem cum crimine, molestiam cum suspicione susceperis? deinde alii quaestus instituuntur, ex uno genere navali videte quam multi: accipere a civitatibus pecuniam, ne nautas darent; pretio certo missos facere nautas; missorum omne stipendium
25 lucrari; reliquis quod deberet non dare. Haec omnia ex
62 civitatum testimoniis cognoscite. Recita testimonium. Huncine hominem! hancine impudentiam, iudices! hanc audaciam! Civitatibus pro numero militum pecuniarum summas discribere! certum pretium, sescenos nummos, nautarum missionis constituere! quos qui dederat, commeatum totius aestatis abstulerat; iste, quod eius nautae nomine pro stipendio frumentoque acceperat, lucrabatur: ita quaestus duplex unius missionis fiebat. Atque haec homo amentissimus in tanto praedonum impetu tantoque periculo provinciae sic palam faciebat, ut et ipsi praedones scirent et tota provincia testis esset.

63 Cum propter istius hanc avaritiam nomine classis esset in Sicilia, re quidem vera naves inanes, quae praedam praetori, non quae praedonibus metum adferrent, tamen cum P. Caesetius et P. Tadius decem navibus suis semi-

plenis navigarent, navem quandam piratarum praeda refertam non ceperunt sed abduxerunt, onere suo plane captam atque depressam. Erat ea navis plena iuventutis formosissimae, plena argenti facti atque signati, multa cum stragula veste. Haec una navis a classe nostra non capta est sed inventa ad Megaridem, qui locus est non longe a Syracusis. Quod ubi isti nuntiatum est, tametsi in acta cum mulierculis iacebat ebrius, erexit se tamen et statim quaestori legatoque suo custodes misit complures,
ut omnia sibi integra quam primum exhiberentur. Ad- 64
pellitur navis Syracusas; exspectatur ab omnibus supplicium: iste, quasi praeda sibi advecta, non praedonibus captis, si qui senes ac deformes erant, eos in hostium numero ducit; qui aliquid formae, aetatis artificiique habebant, abducit omnes; nonnullos scribis suis, filio cohortique distribuit, symphoniacos homines sex cuidam amico suo Romam muneri misit. Nox illa tota in exinaniunda nave consumitur. Archipiratam ipsum videt nemo, de quo supplicium sumi oportuit. Hodie omnes sic habent —quid eius sit, vos coniectura adsequi debetis —, istum clam a piratis ob hunc archipiratam pecuniam accepisse.
'Coniectura est.' Iudex esse bonus nemo potest, qui 26
suspicione certa non movetur. Hominem nostis, consue- 65
tudinem omnium tenetis, qui ducem praedonum aut hostium ceperit, quam libenter eum palam ante oculos omnium esse patiatur: hominem in tanto conventu Syracusis vidi neminem, iudices, qui archipiratam captum sese vidisse diceret, cum omnes, ut mos est, ut solet fieri, concurrerent, quaererent, videre cuperent. Quid accidit, cur tanto opere iste homo occultaretur, ut eum ne casu quidem quisquam aspicere posset? homines maritimi

Syracusis, qui saepe istius ducis nomen audissent, saepe
timuissent, cum eius cruciatu atque supplicio pascere oculos
animumque exsaturare vellent, potestas aspiciendi nemini
66 facta est. Unus plures praedonum duces vivos cepit
P. Servilius quam omnes antea: ecquando igitur isto
fructu quisquam caruit, ut videre piratam captum non
liceret? at contra, quacunque iter fecit, hoc iucundissimum
spectaculum omnibus vinctorum captorumque hostium
praebebat; itaque ei concursus fiebant undique, ut non
modo ex eis oppidis, qua ducebantur, sed etiam ex fini-
timis visendi causa convenirent. Ipse autem triumphus
quam ob rem omnium triumphorum gratissimus populo
Romano fuit et iucundissimus? Quia nihil est victoria
dulcius, nullum est autem testimonium victoriae certius
quam, quos saepe metueris, eos te vinctos ad supplicium
67 duci videre. Hoc tu quam ob rem non fecisti? Quam ob
rem ita pirata iste occultatus est, quasi eum aspici nefas
esset? Quam ob rem supplicium non sumpsisti? Quam ob
causam hominem reservasti? Ecquem scis in Sicilia antea
captum archipiratam, qui non securi percussus sit? Unum
cedo auctorem tui facti, unius profer exemplum. Vivum tu
archipiratam servabas: quo? per triumphum, credo, quem
ante currum tuum duceres: neque enim quicquam erat
reliquum, nisi uti classe populi Romani pulcherrima amissa
provinciaque lacerata triumphus tibi navalis decerneretur.

Age porro, custodiri ducem praedonum novo more quam
27 securi feriri omnium exemplo magis placuit: quae sunt
68 istae custodiae? Apud quos homines? Quem ad modum
est adservatus? Lautumias Syracusanas omnes audistis,
plerique nostis. Opus est ingens, magnificum, regum ac
tyrannorum: totum est e saxo in mirandam altitudinem

depresso et multorum operis penitus exciso; nihil tam clausum ad exitum, nihil tam saeptum undique, nihil tam tutum ad custodiam nec fieri nec cogitari potest. In has lautumias, si qui publice custodiendi sunt, etiam ex ceteris oppidis Siciliae deduci imperantur. Eo quod multos cap- 69
tivos Romanos coniecerat, quod eodem ceteros piratas condi imperarat, intellexit, si hunc subditivum archipiratam in eandem custodiam dedisset, fore, ut a multis in lautumiis verus ille dux quaereretur. Itaque hominem huic optimae tutissimaeque custodiae non audet committere; denique Syracusas totas timet: amandat hominem—quo? 'Lilybaeum fortasse?' Video: tamen homines maritimos non plane reformidat. Minime, iudices. 'Panhormum igitur?' Audio; quamquam Syracusis, quoniam in Syracusano captus erat, maxime, si minus supplicio adfici, at custodiri oportebat. Ne Panhormum quidem. Quo igitur? Quo putatis? 70
Ad homines a piratarum metu et suspicione alienissimos, a navigando rebusque maritimis remotissimos, ad Centuripinos, homines maxime mediterraneos, summos aratores, qui nomen nunquam timuissent maritimi praedonis, unum te praetore horruissent Apronium, terrestrem archipiratam; et ut quivis facile perspiceret id ab isto actum esse, ut ille suppositus facile et libenter se illum, qui non erat, esse simularet, imperat Centuripinis, uti victu ceterisque rebus quam liberalissime commodissimeque adhiberetur.

Interea Syracusani, homines periti et humani, qui non 28
modo ea, quae perspicua essent, videre, verum etiam occulta 71
suspicari possent, habebant rationem omnium cotidie piratarum, qui securi ferirentur: quam multos esse oporteret, ex ipso navigio, quod erat captum, et ex remorum numero coniciebant. Iste quod omnes, qui artificii aliquid

habuerant aut formae, abduxerat, reliquos si, ut consuetudo est, universos ad palum adligasset, clamorem populi fore suspicabatur, cum tanto plures abducti essent quam relicti. Propter hanc causam cum instituisset alios alio tempore producere, tamen in tanto conventu nemo erat, quin rationem numerumque haberet et reliquos non desideraret
72 solum, sed etiam posceret et flagitaret. Cum magnus numerus deesset, tum iste homo nefarius in eorum locum, quos domum suam de piratis abduxerat, substituere et supponere coepit cives Romanos, quos in carcerem antea coniecerat; quorum alios Sertorianos milites fuisse insimulabat et ex Hispania fugientes ad Siciliam adpulsos esse dicebat; alios, qui a praedonibus capti erant, cum mercaturas facerent aut aliquam ob causam navigarent, sua voluntate cum piratis fuisse arguebat. Itaque alii cives Romani, ne cognoscerentur, involutis e carcere capitibus ad palum atque ad necem rapiebantur; alii, cum a multis civibus Romanis cognoscerentur, ab omnibus defenderentur, securi feriebantur. Quorum ego de acerbissima morte crudelissimoque cruciatu dicam, cum eum locum tractare coepero, et ita dicam, ut, si me in ea querimonia, quam sum habiturus de istius crudelitate et de civium Romanorum indignissima morte, non modo vires, verum etiam vita
73 deficiat, id mihi praeclarum et iucundum putem. Haec igitur est gesta res, haec victoria praeclara: myoparone piratico capto dux liberatus, symphoniaci Romam missi; formosi homines et adulescentes et artifices domum abducti, in eorum locum et ad eorum numerum cives Romani hostilem in modum cruciati et necati; omnis vestis sublata, omne aurum et argentum ablatum et aversum.

29 At quem ad modum ipse se induit priore actione? Qui

tot dies tacuisset, repente in M. Annii, hominis splendidis-
simi, testimonio, cum is civem Romanum dixisset, archipi-
ratam negasset securi esse percussum, exsiluit, conscientia
sceleris et furore ex maleficiis concepto excitatus: dixit se,
quod sciret sibi crimini datum iri pecuniam accepisse neque
de vero archipirata sumpsisse supplicium, ideo se securi non
percussisse; domi esse apud sese archipiratas dixit duos.
O clementiam populi Romani seu potius patientiam miram 74
ac singularem! Civem Romanum securi esse percussum
M. Annius, eques Romanus, dicit: taces; archipiratam
negat: fateris. Fit gemitus omnium et clamor, cum tamen
a praesenti supplicio tuo continuit populus Romanus se et
repressit, et salutis suae rationem iudicum severitati reser-
vavit. Quid? Sciebas tibi crimini datum iri? Quam ob
rem sciebas? Quam ob rem etiam suspicabare? Inimicum
habebas neminem; si haberes, tamen non ita vixeras, ut
metum iudicii propositum habere deberes. An te, id quod
fieri solet, conscientia timidum suspiciosumque faciebat? Qui
igitur, cum esses cum imperio, iam tum crimen et iudicium
horrueris, hic cum tot testibus coarguare, potes de damnatione
dubitare? Verum si crimen hoc metuebas, ne quis sup- 75
positum abs te esse diceret, qui pro archipirata securi
feriretur: utrum tandem tibi ad defensionem firmius fore
putasti, in iudicio coactu atque efflagitatu meo producere
ad ignotos tanto post eum, quem archipiratam esse diceres,
an recenti re, Syracusis, apud notos, inspectante Sicilia
paene tota, securi ferire? Vide, quid intersit, utrum facien-
dum fuerit. In illo reprehensio nulla esset; hic defensio
nulla est. Itaque illud semper omnes fecerunt; hoc quis
ante te, quis praeter te fecerit, quaero. Piratam vivum
tenuisti: quem ad finem? Dum cum imperio fuisti? Quam

ob causam? Quo exemplo? Cur tam diu? Cur, inquam,
civibus Romanis, quos piratae ceperant, securi statim per-
cussis, ipsis piratis lucis usuram tam diuturnam dedisti?
76 Verum esto; sit tibi illud liberum omne tempus, quoad cum
imperio fuisti: etiamne privatus, etiamne reus, etiamne
paene damnatus hostium duces privata in domo retinuisti?
Unum, alterum mensem, prope annum denique domi tuae
piratae, a quo tempore capti sunt, quoad per me licitum
est, fuerunt; hoc est, quoad per M'. Glabrionem licitum est,
qui postulante me produci atque in carcerem condi impera-
30 vit. Quod est huiusce rei ius? Quae consuetudo? Quod
exemplum? Hostem acerrimum atque infestissimum
populi Romani seu potius communem hostem gentium
nationumque omnium quisquam omnium mortalium priva-
77 tus intra moenia domi suae retinere poterit? Quid? Si
pridie, quam a me tu coactus es confiteri, civibus Romanis
securi percussis praedonum ducem vivere, habitare apud
te: si, inquam, pridie domo tua profugisset, si aliquam
manum contra rem publicam facere potuisset, quid diceres?
'Apud me habitavit, mecum fuit; ego illum ad iudicium
meum, quo facilius crimen inimicorum diluere possem,
vivum atque incolumem reservavi.' Itane vero? Tu tua
pericula communi periculo defendes? Tu supplicia, quae
debentur hostibus victis, ad tuum, non ad rei publicae
tempus conferes? Populi Romani hostis privati hominis
custodiis adservabitur? At etiam qui triumphant eoque
diutius vivos hostium duces reservant, ut his per triumphum
ductis pulcherrimum spectaculum fructumque victoriae
populus Romanus percipere possit, tamen, cum de foro in
Capitolium currus flectere incipiunt, illos duci in carcerem
iubent, idemque dies et victoribus imperii et victis vitae

finem facit. Et nunc cuiquam credo esse dubium, quin tu 78
id commissurus non fueris—praesertim cum statuisses, ut
ais, tibi causam esse dicendam—, ut ille archipirata non
potius securi feriretur, quam, quod erat ante oculos positum,
tuo periculo viveret! Si enim esset mortuus, tu, qui
crimen ais te metuisse, quaero, cui probares? Cum constaret
istum Syracusis a nullo visum esse [archipiratam], ab omni-
bus desideratum; cum dubitaret nemo, quin abs te pecunia
liberatus esset; cum volgo loquerentur suppositum in eius
locum, quem pro illo probare velles; cum tu te fassus esses
id crimen tanto ante metuisse: si eum diceres esse mor-
tuum, quis te audiret? Nunc, cum vivum nescio quem 79
istum producis, tamen te derideri vides; quid? Si aufu-
gisset, si vincla rupisset ita, ut Nico ille nobilissimus pirata
fecit, quem P. Servilius, qua felicitate ceperat, eadem
recuperavit, quid diceres? Verum hoc erat: si ille semel
verus pirata securi percussus esset, pecuniam illam non
haberes; si hic falsus esset mortuus aut profugisset, non
esset difficile alium in suppositi locum supponere. Plura
dixi, quam volui, de illo archipirata; et tamen ea, quae
certissima sunt huius criminis argumenta, praetermisi. Volo
enim esse totum mihi crimen hoc integrum. Est certus
locus, certa lex, certum tribunal, quo hoc reservetur.

Hac tanta praeda auctus, mancipiis, argento, veste locu- **31**
pletatus, nihilo diligentior ad classem ornandam, milites 80
revocandos alendosque esse coepit, cum ea res non solum
provinciae saluti, verum etiam ipsi praedae posset esse.
Nam aestate summa, quo tempore ceteri praetores obire
provinciam et concursare consuerunt aut etiam in tanto
praedonum metu et periculo ipsi navigare, eo tempore ad
luxuriem libidinesque suas domo sua regia [quae regis

Hieronis fuit, qua praetores uti solent], contentus non fuit: tabernacula, quem ad modum consuerat temporibus aestivis, quod antea demonstravi, carbaseis intenta velis collocari iussit in litore, quod est litus in Insula Syracusis post Arethusae fontem, propter ipsum introitum atque ostium
81 portus, amoeno sane et ab arbitris remoto loco. Hic dies aestivos tot continuos populi Romani praetor, custos defensorque provinciae, sic vixit, ut muliebria cotidie convivia essent, vir accubaret nemo praeter ipsum et praetextatum filium—tametsi sine exceptione dixeram virum, cum isti essent, neminem fuisse—; nonnunquam etiam libertus Timarchides adhibebatur; mulieres autem nuptae nobiles praeter unam mimi Isidori filiam, quam iste propter amorem ab Rhodio tibicine abduxerat: erat Pipa quaedam, uxor Aeschrionis Syracusani, de qua muliere plurimi versus, qui in istius cupiditatem facti sunt, tota Sicilia percelebrantur;
82 erat Nice, facie eximia, ut praedicatur, uxor Cleomeni Syracusani. Hanc vir [Cleomenes] amabat; verum tamen huius libidini adversari nec poterat nec audebat, et simul ab isto donis beneficiisque multis devinciebatur. Illo autem tempore iste, tametsi ea est hominis impudentia, quam nostis, ipse tamen cum vir esset Syracusis, uxorem eius parum poterat animo soluto ac libero tot in acta dies secum habere. Itaque excogitat rem singularem: naves, quibus legatus praefuerat, Cleomeni tradit; classi populi Romani Cleomenem Syracusanum praeesse iubet atque imperare. Hoc eo facit, ut ille non solum abesset a domo, dum navigaret, sed etiam libenter cum magno honore beneficioque abesset; ipse autem remoto atque ablegato viro non liberius quam antea—quis enim unquam istius libidini obstitit?—sed paullo solutiore tamen animo secum illam

haberet, si non tamquam virum, at tamquam aemulum removisset.

Accipit naves sociorum atque amicorum Cleomenes Syra- 32
cusanus. Quid primum aut accusem aut querar? Siculone 83
homini legati, quaestoris, praetoris denique potestatem, honorem, auctoritatem dari? Si te impediebat ista conviviorum mulierumque occupatio, ubi quaestores? Ubi legati? [Ubi ternis denariis aestimatum frumentum? Ubi muli? Ubi tabernacula? Ubi tot tantaque ornamenta magistratibus et legatis a senatu populoque Romano permissa et data?] Denique ubi praefecti, ubi tribuni tui? Si civis Romanus dignus isto negotio nemo fuit, quid civitates, quae in amicitia fideque populi Romani perpetuo manserant? Ubi Segestana, ubi Centuripina civitas? Quae cum officiis, fide, vetustate, tum etiam cognatione populum Romanum attingunt. O di immortales! Quid? 84
Si harum ipsarum civitatum militibus, navibus, nauarchis Syracusanus Cleomenes iussus est imperare, non omnis honos ab isto dignitatis, aequitatis officiique sublatus est? Ecquod in Sicilia bellum gessimus quin Centuripinis sociis, Syracusanis hostibus uteremur? Atque ego haec ad memoriam vetustatis, non ad contumeliam civitatis referri volo. Itaque ille vir clarissimus summusque imperator, M. Marcellus, cuius virtute captae, misericordia conservatae sunt Syracusae, habitare in ea parte urbis, quae in Insula est, Syracusanum neminem voluit: hodie, inquam, Syracusanum in ea parte habitare non licet. Est enim locus, quem vel pauci possint defendere. Committere igitur eum non fidelissimis hominibus noluit, simul quod ab illa parte urbis navibus aditus ex alto est. Quam ob rem, qui nostros exercitus saepe excluserant, eis claustra loci committenda

85 non existimavit. Vide quid intersit inter tuam libidinem
maiorumque auctoritatem, inter amorem furoremque tuum
et illorum consilium atque prudentiam. Illi aditum litoris
Syracusanis ademerunt: tu imperium maritimum conces-
sisti; illi habitare in eo loco Syracusanum, qua naves
accedere possent, noluerunt: tu classi et navibus Syra-
cusanum praeesse voluisti; quibus illi urbis suae partem
ademerunt, eis tu nostri imperii partem dedisti, et, quorum
sociorum opera Syracusani nobis dicto audientes sunt, eos
Syracusano dicto audientes esse iussisti.
33 Egreditur in Centuripina quadriremi Cleomenes e portu;
86 sequitur Segestana navis, Tyndaritana, Herbitensis, Hera-
cliensis, Apolloniensis, Haluntina, praeclara classis in
speciem, sed inops et infirma propter dimissionem pro-
pugnatorum atque remigum. Tam diu in imperio suo
classem iste praetor diligens vidit, quam diu convivium
eius flagitiosissimum praetervecta est; ipse autem, qui
visus multis diebus non esset, tum se tamen in conspectum
nautis paullisper dedit. Stetit soleatus praetor populi
Romani cum pallio purpureo tunicaque talari, muliercula
nixus, in litore. Iam hoc istum vestitu Siculi civesque
87 Romani permulti saepe viderant. Postea quam paullum
provecta classis est et Pachynum quinto die denique
adpulsa, nautae coacti fame radices palmarum agrestium,
quarum erat in illis locis, sicuti in magna parte Siciliae,
multitudo, colligebant et eis miseri perditique alebantur.
Cleomenes autem, qui alterum se Verrem cum luxuria ac
nequitia, tum etiam imperio putaret, similiter totos dies in
34 litore tabernaculo posito perpotabat. Ecce autem repente,
ebrio Cleomene, esurientibus ceteris, nuntiatur piratarum
esse naves in portu Odysseae—nam ita is locus nominatur

—; nostra autem classis erat in portu Pachyni. Cleomenes
autem, quod erat terrestre praesidium, non re sed nomine,
speravit eis militibus, quos ex eo loco deduxisset, explere
se numerum nautarum et remigum posse: reperta est
eadem istius hominis avarissimi ratio in praesidiis quae
in classibus; nam erant perpauci reliqui, ceteri dimissi.
Princeps Cleomenes in quadriremi Centuripina malum 88
erigi, vela fieri, praecidi ancoras imperavit, et simul, ut
se ceteri sequerentur, signum dari iussit. Haec Centuripina
navis erat incredibili celeritate velis; nam scire isto prae-
tore nemo poterat, quid quaeque navis remis facere posset,
etsi in hac quadriremi, propter honorem et gratiam
Cleomenis, minime multi remiges et milites deerant.
Evolarat iam e conspectu fere fugiens quadriremis, cum
etiamtum ceterae naves uno in loco moliebantur. Erat 89
animus in reliquis: quamquam erant pauci, quoquo modo
res se habebat, pugnare tamen se velle clamabant, et, quod
reliquum vitae viriumque fames fecerat, id ferro potissimum
reddere volebant. Quodsi Cleomenes non tanto ante
fugisset, aliqua tamen ad resistendum ratio fuisset; erat
enim sola illa navis constrata et ita magna, ut propugnaculo
ceteris posset esse: quae si in praedonum pugna versaretur
urbis instar habere inter illos piraticos myoparones videretur:
sed tum inopes, relicti ab duce praefectoque classis, eundem
necessario cursum tenere coeperunt. Helorum versus, ut 90
ipse Cleomenes, ita ceteri navigabant; neque ei tam prae-
donum impetum fugiebant, quam imperatorem sequebantur.
Tum ut quisque in fuga postremus, ita in periculo princeps
erat; postremam enim quamque navem piratae primam
adoriebantur. Ita prima Haluntinorum navis capitur, cui
praeerat Haluntinus homo nobilis, Phylarchus, quem ab

illis praedonibus Locrenses postea publice redemerunt; ex
quo vos priore actione iurato rem omnem causamque
cognostis. Deinde Apolloniensis navis capitur et eius
35 praefectus Anthropinus occiditur. Haec dum aguntur,
91 interea Cleomenes iam ad Helori litus pervenerat, iam sese
in terram e navi eiecerat quadriremenque fluctuantem in
salo reliquerat. Reliqui praefecti navium, cum in terram
imperator exisset, cum ipsi neque repugnare neque mari
effugere ullo modo possent, adpulsis ad Helorum navibus
Cleomenem persecuti sunt. Tum praedonum dux Heracleo,
repente, praeter spem, non sua virtute sed istius avaritia
nequitiaque victor, classem pulcherrimam populi Romani
in litus expulsam et eiectam, cum primum invesperasceret,
92 inflammari incendique iussit. O tempus miserum atque
acerbum provinciae Siciliae! O casum illum multis inno-
centibus calamitosum atque funestum! O istius nequitiam
ac turpitudinem singularem! Una atque eadem nox erat,
qua praetor amoris turpissimi flamma, classis populi
Romani praedonum incendio conflagrabat. Adfertur nocte
intempesta gravis huiusce mali nuntius Syracusas; curritur
ad praetorium, quo istum ex illo praeclaro convivio re-
duxerant paullo ante mulieres cum cantu atque symphonia.
Cleomenes, quamquam nox erat, tamen in publico esse non
audet: includit se domi,—neque aderat uxor, quae consolari
93 hominem in malis posset. Huius autem praeclari impera-
toris ita erat severa domi disciplina, ut in re tanta et tam
gravi nuntio nemo admitteretur, nemo esset qui auderet
aut dormientem excitare aut interpellare vigilantem. Iam
vero re ab omnibus cognita concursabat urbe tota maxima
multitudo; non enim, sicut erat antea semper consuetudo,
praedonum adventum significabat ignis e specula sublatus

aut tumulo, sed flamma ex ipso incendio navium et calamitatem acceptam et periculum reliquum nuntiabat. Cum praetor quaereretur et constaret neminem ei nuntiasse, 36
fit ad domum eius cum clamore concursus atque impetus. 94
Tum iste excitatus audit rem omnem ex Timarchide: sagum sumit. Lucebat iam fere: procedit in medium, vini, somni, stupri plenus. Excipitur ab omnibus eius modi clamore, ut ei Lampsaceni periculi similitudo versaretur ante oculos. Hoc etiam maius hoc videbatur, quod in odio simili multitudo hominum haec erat maxima. Tum istius acta commemorabatur, tum flagitiosa illa convivia; tum appellabantur a multitudine mulieres nominatim; tum quaerebant ex isto palam, tot dies continuos, per quos nunquam visus esset, ubi fuisset, quid egisset; tum imperator ab isto praepositus Cleomenes flagitabatur; neque quicquam propius est factum, quam ut illud Uticense exemplum de Hadriano transferretur Syracusas, ut duo sepulcra duorum praetorum improborum duabus in provinciis constituerentur. Verum habita est a multitudine ratio temporis, habita tumultus, habita etiam dignitatis existimationisque communis, quod is est conventus Syracusis civium Romanorum, ut non modo illa provincia, verum etiam hac re publica dignissimus existimetur. Confirmant 95
ipsi se, cum hic etiam tum semisomnus stuperet; arma capiunt; totum forum atque Insulam, quae est urbis magna pars, complent. Unam illam noctem solam praedones ad Helorum commorati, cum fumantes etiam nostras naves reliquissent, accedere incipiunt ad Syracusas: qui videlicet saepe audissent nihil esse pulchrius quam Syracusarum moenia ac portus, statuerant se, si ea Verre praetore non vidissent, nunquam esse visuros. Ac primo ad illa aestiva 37

96 praetoris accedunt, ipsam illam ad partem litoris, ubi iste
per eos dies tabernaculis positis castra luxuriae collocarat.
Quem postea quam inanem locum offenderunt et praetorem
commovisse ex eo loco castra senserunt, statim sine ullo
metu in ipsum portum penetrare coeperunt. Cum in
portum dico, iudices,—explanandum est enim diligentius
eorum causa, qui locum ignorant—in urbem dico atque in
urbis intimam partem venisse piratas. Non enim portu
illud oppidum clauditur, sed urbe portus ipse cingitur et
continetur, ut non adluantur mari moenia extrema, sed ipse
97 influat in urbis sinum portus. Hic te praetore Heracleo
pirata cum quattuor parvis myoparonibus ad arbitrium
suum navigavit. Pro di immortales! Piraticus myoparo,
cum imperii populi Romani nomen ac fasces essent Syra-
cusis, usque ad forum Syracusanum et ad omnes crepidines
urbis accessit: quo neque Karthaginiensium gloriosissimae
classes, cum mari plurimum poterant, multis bellis saepe
conatae, unquam aspirare potuerunt, neque populi Romani
invicta ante te praetorem gloria illa navalis unquam tot
Punicis Siciliensibusque bellis penetrare potuit; qui locus
eius modi est, ut ante Syracusani in moenibus suis, in urbe,
in foro hostem armatum ac victorem quam in portu ullam
98 hostium navem viderint. Hic te praetore praedonum
naviculae pervagatae sunt, quo Atheniensium classis sola
post hominum memoriam trecentis navibus vi ac multitudine
invasit; quae in eo ipso portu, loci ipsius natura, victa
atque superata est. Hic primum opes illius civitatis
comminutae depressaeque sunt; in hoc portu Athenien-
sium nobilitatis, imperii, gloriae naufragium factum existi-
38 matur. Eone pirata penetravit, quo simul atque adisset,
non modo a latere, sed etiam a tergo magnam partem urbis

relinqueret? Insulam totam praetervectus est, quae est
urbs Syracusis suo nomine ac moenibus, quo in loco maiores,
ut ante dixi, Syracusanum habitare vetuerunt, quod, qui
illam partem urbis tenerent, in eorum potestate portum
futurum intellegebant. At quem ad modum est pervagatus! 99
Radices palmarum agrestium, quas in nostris navibus in-
venerant, iactabant, ut omnes istius improbitatem et
calamitatem Siciliae possent cognoscere. Siculosne milites,
aratorumne liberos, quorum patres tantum labore suo
frumenti exarabant, ut populo Romano totique Italiae
suppeditare possent, eosne, in insula Cereris natos, ubi
primum fruges inventae esse dicuntur, eo cibo esse usos, a
quo maiores eorum ceteros quoque frugibus inventis re-
moverunt? Te praetore Siculi milites palmarum stirpibus,
piratae Siculo frumento alebantur? O spectaculum miserum 100
atque acerbum: ludibrio esse urbis gloriam, populi Romani
nomen, hominum [honestissimorum] conventum atque
multitudinem piratico myoparoni! In portu Syracusano
de classe populi Romani triumphum agere piratam, cum
praetoris inertissimi nequissimique oculos praedonum remi
respergerent!

Postea quam e portu piratae non metu aliquo adfecti sed
satietate exierunt, tum coeperunt quaerere homines causam
illius tantae calamitatis. Dicere omnes et palam disputare
minime esse mirandum, si, remigibus militibusque dimissis,
reliquis egestate et fame perditis, praetore tot dies cum
mulierculis perpotante, tanta ignominia et calamitas esset
accepta. Haec autem istius vituperatio atque infamia 101
confirmabatur eorum sermone, qui a suis civitatibus illis
navibus praepositi fuerant. Qui ex illo numero reliqui
Syracusas classe amissa refugerant, dicebant, quot ex sua

quisque nave missos sciret esse. Res erat clara, neque solum
argumentis sed etiam certis testibus istius audacia tenebatur.
39 Homo certior fit agi nihil in foro et conventu toto die nisi
hoc; quaeri ex nauarchis, quem ad modum classis sit
amissa; illos respondere et docere unum quemque, missione
remigum, fame reliquorum, Cleomenis timore et fuga. Quod
postea quam iste cognovit, hanc rationem habere coepit.
Causam sibi dicendam esse statuerat iam ante quam hoc
usu venit, ita ut ipsum priore actione dicere audistis.
Videbat illis nauarchis testibus tantum hoc crimen sustinere
se nullo modo posse. Consilium capit primo stultum,
102 verum tamen clemens. Nauarchos ad se vocari iubet;
veniunt: accusat eos, quod eius modi de se sermones
habuerint; rogat, ut in sua quisque dicat navi se tantum
habuisse nautarum quantum oportuerit, neque quemquam
esse dimissum. Illi enim vero se ostendunt, quod vellet,
esse facturos. Iste non procrastinat; advocat amicos
statim; quaerit ex illis singillatim, quot quisque nautas
habuerit; respondet unus quisque, ut erat praeceptum.
Iste in tabulas refert; obsignat signis amicorum providens
homo, ut contra hoc crimen, si quando opus esset, hac
103 videlicet testificatione uteretur. Derisum esse credo
hominem amentem a suis consiliariis et admonitum hasce ei
tabulas nihil profuturas; etiam plus ex nimia praetoris
diligentia suspicionis in eo crimine futurum. Iam iste erat
hac stultitia multis in rebus usus, ut publice quoque, quae
vellet, in litteris civitatum et tolli et referri iuberet: quae
omnia nunc intellegit sibi nihil prodesse, postea quam certis
40 litteris, testibus auctoritatibusque convincitur. Ubi hoc
videt, illorum confessionem, testificationem suam, tabellas
sibi nullo adiumento futuras, init consilium, non improbi

praetoris — nam id quidem esset ferendum —, sed
importuni atque amentis tyranni: statuit, si hoc crimen
extenuari vellet — nam omnino tolli posse non arbitrabatur
— nauarchos omnes, testes sui sceleris, vita esse privandos.
Occurrebat illa ratio: quid Cleomene fiet? poterone 104
animadvertere in eos, quos dicto audientes esse iussi,
missum facere eum, cui potestatem imperiumque permisi?
poterone eos adficere supplicio, qui Cleomenem secuti sunt,
ignoscere Cleomeni, qui secum fugere et se consequi iussit?
poterone esse in eos vehemens, qui naves non modo inanes
habuerunt sed etiam apertas, in eum dissolutus, qui solus
habuerit constratam navem et minus exinanitam? pereat
Cleomenes una! ubi fides? ubi exsecrationes? ubi dexterae
complexusque? ubi illud contubernium muliebris militiae
in illo delicatissimo litore? Fieri nullo modo poterat quin
Cleomeni parceretur. Vocat Cleomenem: dicit ei se 105
statuisse animadvertere in omnes nauarchos; ita sui periculi
rationes ferre ac postulare. 'Tibi uni parcam et potius
istius culpae crimen vituperationemque inconstantiae
suscipiam quam aut in te sim crudelis aut tot tam graves
testes vivos incolumesque esse patiar.' Agit gratias
Cleomenes, adprobat consilium, dicit ita fieri oportere:
admonet tamen illud, quod istum fugerat, in Phalacrum,
Centuripinum nauarchum, non posse animadverti, propterea
quod secum una fuisset in Centuripina quadriremi. Quid
ergo? iste homo ex eiusmodi civitate, adulescens nobi-
lissimus, testis relinquetur? 'In praesentia,' inquit Cleo-
menes, 'quoniam ita necesse est; sed post aliquid videbimus,
ne iste nobis obstare possit.'

Haec postea quam acta et constituta sunt, procedit iste **41**
repente e praetorio, inflammatus scelere, furore, crudelitate; 106

in forum venit: nauarchos ad se vocari iubet. Qui nihil
metuerent, nihil suspicarentur, statim accurrunt. Iste
hominibus miseris innocentibus inici catenas imperat.
Implorare illi fidem praetoris et quare id faceret rogare.
Tum iste hoc causae dicit, quod classem praedonibus pro-
didissent. Fit clamor et admiratio populi, tantam esse in
homine impudentiam atque audaciam, ut aliis causam
calamitatis attribueret, quae omnis propter avaritiam ipsius
accidisset; ut, cum ipse praedonum socius putaretur, aliis
proditionis crimen inferret; deinde, hoc quinto decimo die
107 crimen esse natum postquam classis esset amissa. Cum
haec ita fierent, quaerebatur ubi esset Cleomenes; non quo
illum ipsum, cuicuimodi est, quisquam supplicio propter
illud incommodum dignum putaret, — nam quid Cleomenes
facere potuit? non enim possum quemquam insimulare
falso; quid, inquam, magno opere potuit Cleomenes facere,
istius avaritia navibus exinanitis? atque eum vident sedere
ad latus praetoris et ad aurem familiariter, ut solitus erat,
insusurrare. Tum vero omnibus indignissimum visum est,
homines honestissimos, electos e suis civitatibus, in ferrum
atque in vincla coniectos, Cleomenem propter flagitiorum
ac turpitudinum societatem familiarissimum esse praetori.
108 Adponitur eis tamen accusator Naevius Turpio quidam, qui
C. Sacerdote praetore iniuriarum damnatus est, homo bene
adpositus ad istius audaciam; quem iste in decumis, in
rebus capitalibus, in omni calumnia praecursorem habere
solebat et emissarium.

42 Veniunt Syracusas parentes propinquique miserorum
adulescentium, hoc repentino calamitatis suae commoti
nuntio; vinctos catenis aspiciunt liberos suos, cum istius
avaritiae poenam collo et cervicibus suis sustinerent; adsunt,

defendunt, proclamant, fidem tuam, quae nusquam erat neque unquam fuerat, implorant. Pater aderat Dexo Tyndaritanus, homo nobilissimus, hospes tuus. Cuius tu domi fueras, quem hospitem appellaras, eum cum illa auctoritate et aetate miseria videres perditum, non te eius lacrimae, non senectus, non hospitii ius atque nomen ab
scelere aliquam ad partem humanitatis revocare potuit? Sed 109
quid ego hospitii iura in hac immani belua commemoro? qui Sthenium Thermitanum, hospitem suum, cuius domum per hospitium exhausit et exinanivit, absentem in reos rettulerit, indicta causa capite damnarit, ab eo nunc hospitiorum iura atque officia quaeramus? cum homine enim crudeli nobis res est an cum fera atque immani belua? Te patris lacrimae de innocentis filii periculo non movebant; cum patrem domi reliquisses, filium tecum haberes, te neque praesens filius de liberum caritate neque absens pater
de indulgentia patria commonebat? catenas habebat hospes 110
tuus Aristeus, Dexonis filius: quid ita? 'prodiderat classem.' Quod ob praemium? 'deseruerat.' Quid Cleomenes? 'ignavus fuerat.' At eum tu ob virtutem corona ante donaras. 'Dimiserat nautas.' Ab omnibus tu mercedem missionis acceperas. Alter parens ex altera parte erat Herbitensis Eubulida, homo domi suae clarus et nobilis; qui quia Cleomenem in defendendo filio laeserat, nudus paene est destitutus. Quid erat autem quod quisquam diceret aut defenderet? 'Cleomenem nominare non licet.' 'At causa cogit.' 'Moriere, si appellaris.' (Nunquam enim iste cuiquam est mediocriter minatus.) 'At remiges non erant.' 'Praetorem tu accuses? frange cervices.' Si neque praetorem neque praetoris aemulum appellari licebit, cum in his duobus tota causa sit, quid futurum est?

43 — Dicit etiam causam Heraclius Segestanus, homo domi
111 suae nobilissimo loco natus. Audite, ut vestra humanitas
postulat, iudices; audietis enim de magnis incommodis
iniuriisque sociorum. Hunc scitote fuisse Heraclium in ea
causa, qui propter gravem morbum oculorum tum non
navigarit et iussu eius, qui potestatem habuit, in commeatu
Syracusis remanserit. Is certe neque classem prodidit
neque metu exercitum deseruit. Etenim tunc esset hoc
animadvertendum, cum classis Syracusis proficiscebatur. Is
tamen in eadem causa fuit, quasi esset in aliquo manifesto
scelere deprehensus, in quem ne falsi quidem causa conferri
112 criminis potuit. Fuit in illis nauarchis Heracliensis quidam
Furius — nam habent illi nonnulla huiusce modi Latina
nomina — homo, quam diu vixit, non domi suae solum, post
mortem tota Sicilia clarus et nobilis. In quo homine tantum
animi fuit, non solum ut istum libere laederet — nam id
quidem, quoniam moriundum videbat, sine periculo se facere
intellegebat —, verum morte proposita, cum lacrimans in
carcere mater noctes diesque adsideret, defensionem causae
scripsit; quam nunc nemo est in Sicilia quin habeat, quin
legat, quin tui sceleris et crudelitatis ex illa oratione com-
monefiat. In qua docet, quot a civitate sua nautas
acceperit, quot et quanti quemque dimiserit, quot secum
habuerit; item de ceteris navibus dicit: quae cum apud te
diceret, virgis oculi verberabantur. Ille morte proposita
facile dolorem corporis patiebatur; clamabat, id quod
scriptum reliquit: *facinus esse indignum, plus impudicissimae
mulieris apud te de Cleomenis salute savia quam de sua vita*
113 *lacrimas matris valere.* Deinde etiam illud video esse dictum,
quod, si recte vos populus Romanus cognovit, non falso ille
de vobis iam in morte ipsa praedicavit: *non posse Verrem*

testes interficiendo [*ius*] *extinguere; graviorem apud sapientes*
iudices se fore ab inferis testem, quam si vivus in iudicium pro-
duceretur: tum avaritiae solum, [*si viveret*], *nunc, cum ita esset*
necatus, sceleris, audaciae, crudelitatis testem fore. Iam illa
praeclara: *non testium modo catervas, cum tua res ageretur, sed*
ab dis manibus innocentium Poenas scelerumque Furias in tuum
iudicium esse venturas; sese ideo leviorem suum casum fingere,
quod iam ante aciem securium tuarum Sextiique tui carnificis
voltum et manum vidisset, cum in conventu civium Romanorum
iussu tuo securi cives Romani ferirentur. Ne multa, iudices: 114
libertate, quam vos sociis dedistis, hac ille in acerbissimo
supplicio miserrimae servitutis abusus est.

Condemnat omnes 'de consilii sententia'. Tamen neque **44**
iste in tanta re tot hominum T. Vettium ad se arcessit,
quaestorem suum, cuius consilio uteretur, neque P. Cervium,
talem virum, qui quia legatus isto praetore in Sicilia fuit,
primus ab isto iudex reiectus est, sed de latronum, hoc est
de comitum suorum sententia condemnat omnes. Hic 115
cuncti Siculi, fidelissimi atque antiquissimi socii, plurimis
adfecti beneficiis a maioribus nostris, graviter commoventur
et de suis periculis fortunisque omnibus pertimescunt.
Indigne ferunt illam clementiam mansuetudinemque nostri
imperii in tantam crudelitatem inhumanitatemque esse
conversam; condemnari tot homines uno tempore nullo
crimine; defensionem suorum furtorum praetorem impro-
bum ex indignissima morte innocentium quaerere. Nihil
addi iam videtur, iudices, ad hanc improbitatem, amentiam
crudelitatemque posse, et recte nihil videtur; nam si cum
aliorum improbitate certet, longe omnes multumque super-
abit; sed secum ipse certat: id agit, ut semper superius 116
suum facinus novo scelere vincat. Phalacrum Centuripinum

dixeram exceptum esse a Cleomene, quod in eius quadriremi
vectus esset: tamen, quia pertimuerat adulescens, quod
eandem suam causam videbat esse quam illorum, qui
innocentes peribant, accedit ad hominem Timarchides: a
securi negat esse ei periculum; virgis ne caederetur, monet
ut caveat. Ne multa, ipsum dicere adulescentem audistis
117 se ob hunc metum pecuniam Timarchidi numerasse. Levia
sunt haec in hoc reo. Metum virgarum nauarchus
nobilissimae civitatis pretio redemit: humanum est. Alius,
ne condemnaretur, pecuniam dedit: usitatum est. Non
volt populus Romanus obsoletis criminibus accusari Verrem;
nova postulat, inaudita desiderat: non de praetore Siciliae
45 sed de nefario tyranno fieri iudicium arbitratur. Inclu-
duntur in carcerem condemnati; supplicium constituitur in
illos, sumitur de miseris parentibus [nauarchorum]: prohi-
bentur adire ad filios, prohibentur liberis suis cibum
118 vestitumque ferre. Patres hi, quos videtis, iacebant in
limine ipso, matresque miserae pernoctabant ad ostium
carceris, ab extremo conspectu liberum exclusae; quae
nihil aliud orabant, nisi ut filiorum suorum postremum
spiritum ore excipere liceret. Aderat ianitor carceris,
carnifex praetoris, mors terrorque sociorum et civium
Romanorum, lictor Sextius, cui ex omni gemitu doloreque
certa merces comparabatur. 'Ut adeas, tantum dabis; ut
tibi cibum vestitumque intro ferre liceat, tantum.' Nemo
recusabat. 'Quid? ut uno ictu securis mortem filio tuo
adferam, quid dabis? ne diu crucietur? ne saepius feriatur?
ne cum sensu doloris aliquo spiritus ei auferatur?' Etiam
119 ob hanc causam pecunia lictori dabatur. O magnum atque
intolerabilem dolorem! O gravem acerbamque fortunam!
Non vitam liberum, sed mortis celeritatem pretio redimere

cogebantur parentes; atque ipsi etiam adulescentes cum
Sextio suo de plaga et de uno illo ictu loquebantur, idque
postremum parentes suos liberi orabant, ut levandi cruciatus
sui causa lictori pecunia daretur. Multi et graves dolores
inventi parentibus et propinquis, multi: verum tamen mors
sit extrema. Non erit. Estne aliquid ultra, quo crudelitas
progredi possit? reperietur: nam illorum, cum erunt securi
percussi ac necati, corpora feris obicientur. Hoc si luctuo-
sum est parentibus, redimant pretio sepeliendi potestatem.
Onasum Segestanum, hominem nobilem, dicere audistis se 120
ob sepulturam Heraclii nauarchi pecuniam Timarchidi
numerasse. Hoc, ne possis dicere '*patres enim veniunt
amissis filiis irati*', vir primarius, homo nobilissimus, dicit,
neque de filio dicit. Iam hoc quis tum fuit Syracusis quin
audierit, quin sciat, has Timarchidi pactiones sepulturae cum
vivis etiam illis esse factas? non palam cum Timarchide
loquebantur? non omnes omnium propinqui adhibebantur?
non palam vivorum funera locabantur? quibus omnibus rebus
actis atque decisis producuntur e carcere, deligantur. Quis **46**
tam fuit illo tempore ferreus, quis tam inhumanus praeter 121
unum te, qui non illorum aetate, nobilitate, miseria commo-
veretur? Ecquis fuit quin lacrimaret? quin ita calamitatem
illam putaret illorum, ut fortunam tamen non alienam, per-
iculum autem commune arbitraretur? feriuntur securi.
Laetaris tu in omnium gemitu et triumphas; testes avaritiae
tuae gaudes esse sublatos. Errabas, Verres, et vehementer
errabas, cum te maculas furtorum et flagitiorum tuorum
sociorum innocentium sanguine eluere arbitrabare; praeceps
amentia ferebare, qui te existimares avaritiae volnera cru-
delitatis remediis posse sanare. Etenim quamquam illi sunt
mortui sceleris tui testes, tamen eorum propinqui neque illis

neque tibi desunt; tamen ex illo ipso numero nauarchorum aliqui vivunt, adsunt, quos, ut mihi videtur, ad illorum innocentium poenas fortuna et ad hanc causam reservavit.
122 Adest Phylarchus Haluntinus, qui quia cum Cleomene non fugit, oppressus a praedonibus et captus est: cui calamitas saluti fuit; qui nisi captus a piratis esset, in hunc praedonem sociorum incidisset. Dicit is pro testimonio de missione nautarum, de fame, de Cleomenis fuga. Adest Centuripinus Phalacrus, in amplissima civitate amplissimo loco natus: eadem dicit, nulla in re discrepat.

123 Per deos immortales! quo tandem animo sedetis, iudices? aut haec quem ad modum auditis? Utrum ego desipio et plus quam satis est doleo tanta calamitate miseriaque sociorum, an vos quoque hic acerbissimus innocentium cruciatus et maeror pari sensu doloris adficit? Ego enim cum Herbitensem, cum Heracliensem securi percussum esse dico, versatur mihi ante oculos indignitas calamitatis:
47 eorum populorum cives, eorum agrorum alumnos, ex quibus maxima vis frumenti quotannis plebi Romanae illorum operis ac laboribus quaeritur, qui a parentibus spe nostri imperii nostraeque aequitatis suscepti educatique sunt, ad G. Verris nefariam immanitatem et ad eius funestam secu-
124 rem esse servatos? Cum mihi Tyndaritani illius venit in mentem, cum Segestani, tum iura simul civitatum atque officia considero. Quas urbes P. Africanus etiam ornandas esse spoliis hostium arbitratus est, eas G. Verres non solum illis ornamentis sed etiam viris nobilissimis nefario scelere privavit. En quod Tyndaritani libenter praedicent: 'nos in septemdecim populis Siciliae numeramur; nos semper omnibus Punicis Siciliensibusque bellis amicitiam fidemque populi Romani secuti sumus; a nobis omnia populo Romano

semper et belli adiumenta et pacis ornamenta ministrata
sunt.' Multum vero haec eis iura profuerunt in istius
imperio ac potestate! Vestros quondam nautas contra 125
Karthaginem Scipio duxit: at nunc navem contra praedones
paene inanem Cleomenes ducit. Vobiscum Africanus
hostium spolia et praemia laudis communicavit: at nunc
per hunc spoliati [navi a praedonibus (abducta)] ipsi in
hostium loco numeroque ducimini. Quid vero? Illa
Segestanorum non solum litteris tradita neque commem-
orata verbis, sed multis officiis illorum usurpata et
comprobata cognatio quos tandem fructus huiusce necessi-
tudinis in istius imperio tulit? Nempe hoc iure fuit,
iudices, ut ex sinu patriae nobilissimus adulescens et ex
complexu matris ereptus, innocens istius carnifici Sextio
dederetur. Cui civitati maiores nostri maximos agros
atque optimos concesserunt, quam immunem esse voluerunt,
haec apud te cognationis, fidelitatis, vetustatis, auctoritatis
ne hoc quidem iuris obtinuit, ut unius honestissimi atque
innocentissimi civis mortem ac sanguinem deprecaretur.

Quo confugient socii? quem implorabunt? qua spe deni- **48**
que, ut vivere velint, tenebuntur, si vos eos deseretis? Ad 126
senatumne venient? Quid? ut de Verre supplicium
sumat? non est usitatum, non est senatorium. Ad
populum Romanum confugient? Facilis est causa populi
Romani; legem enim se sociorum causa iussisse et ei vos
legi custodes ac vindices praeposuisse dicet. Hic locus
igitur est unus quo perfugiant, hic portus, haec arx, haec
ara sociorum: quo quidem nunc non ita confugiunt, ut
antea in suis repetundis rebus solebant. Non aurum, non
argentum, non vestem, non mancipia repetunt, non orna-
menta, quae ex urbibus fanisque erepta sunt: metuunt

homines imperiti, ne iam haec populus Romanus concedat
et ita velit fieri. Patimur enim multos iam annos et
silemus, cum videamus ad paucos homines omnes omnium
nationum pecunias pervenisse. Quod eo magis ferre animo
aequo et concedere videmur, quia nemo istorum dissimulat,
127 nemo laborat ut obscura sua cupiditas esse videatur. In
urbe nostra pulcherrima atque ornatissima quod signum,
quae tabula picta est, quae non ab hostibus victis capta
atque deportata sit? At istorum villae sociorum fidelissimorum
plurimis et pulcherrimis spoliis ornatae refertaeque
sunt. Ubi pecunias exterarum nationum esse arbitramini,
quae nunc omnes egent, cum Athenas, Pergamum, Cyzicum,
Miletum, Chium, Samum, totam denique Asiam, Achaiam,
Graeciam, Siciliam tam in paucis villis inclusas esse videatis?
Sed haec, ut dico, omnia iam socii vestri relinquunt et
neglegunt, iudices. Ne enim publice a populo Romano
spoliarentur, officio ac fide providerunt: paucorum cupiditati
tum, cum obsistere non poterant, tamen sufficere aliquo
modo poterant: nunc vero iam adempta est non modo resistendi
verum etiam suppeditandi facultas. Itaque res suas
neglegunt; pecunias, quo nomine iudicium hoc appellatur,
128 non repetunt, relinquunt: hoc iam ornatu ad vos confugiunt.
Aspicite, aspicite, iudices, squalorem sordesque sociorum!

49 Sthenius hic Thermitanus cum hoc capillo atque veste,
domo sua tota expilata, mentionem tuorum furtorum non
facit; sese ipsum abs te repetit, nihil amplius; totum enim
tua libidine et scelere ex sua patria, in qua multis virtutibus
ac beneficiis princeps fuit, sustulisti. Dexo hic, quem
videtis, non quae publice Tyndaride, non quae privatim
sibi eripuisti, sed unicum miser abs te filium optimum
atque innocentissimum flagitat. Non ex litibus aestimatis

tuis pecuniam domum, sed ex tua calamitate cineri atque ossibus filii sui solacium volt aliquod reportare. Hic tam grandis natu Eubulida hoc tantum exacta aetate laboris itinerisque suscepit, non ut aliquid de suis bonis recuperaret, sed ut, quibus oculis cruentas cervices filii sui viderat, eisdem te condemnatum videret. Si per L. Metellum 129
licitum esset, iudices, matres illorum miserorum sororesque veniebant: quarum una, cum ego ad Heracliam noctu accederem, cum omnibus matronis eius civitatis et cum multis facibus mihi obviam venit, et ita, me suam salutem appellans, te suum carnificem nominans, filii nomen implorans, mihi ad pedes misera iacuit, quasi ego eius excitare ab inferis filium possem. Faciebant hoc idem ceteris in civitatibus grandes natu matres et item parvi liberi miserorum; quorum utrumque aetas laborem et industriam meam, fidem et misericordiam vestram requirebat. Itaque ad me, iudices, hanc querimoniam praeter 130
ceteras Sicilia detulit; lacrimis ego huc, non gloria inductus accessi, ne falsa damnatio, ne carcer, ne catenae, ne verbera, ne secures, ne cruciatus sociorum, ne sanguis innocentium, ne denique etiam exsanguia corpora mortuorum, ne maeror parentum ac propinquorum magistratibus nostris quaestui posset esse. Hunc ego si metum Siciliae damnatione istius per vestram fidem et veritatem deiecero, iudices, satis officio meo, satis illorum voluntati, qui a me hoc petiverunt, factum esse arbitrabor.

Quapropter si quem forte inveneris, qui hoc navale **50**
crimen conetur defendere, is ita defendat: illa communia, 131
quae ad causam nihil pertinent, praetermittat, me culpae fortunam adsignare, calamitatem crimini dare, me amissionem classis obicere, cum multi viri fortes in communi

incertoque periculo belli et terra et mari saepe offenderint. Nullam tibi obicio fortunam; nihil est, quod ceterorum res minus commode gestas proferas; nihil est, quod multorum naufragia fortunae colligas. Ego naves inanes fuisse dico, remiges nautasque dimissos, reliquos stirpibus vixisse palmarum; praefuisse classi populi Romani Siculum, perpetuo sociis atque amicis Syracusanum; te illo tempore ipso superioribusque diebus omnibus in litore cum mulierculis perpotasse dico; harum rerum omnium auctores
132 testesque produco. Num tibi insultare in calamitate, num intercludere perfugia fortunae, num casus bellicos exprobrare aut obicere videor? tametsi solent ei fortunam sibi obici nolle, qui se fortunae commiserunt, qui in eius periculis sunt ac varietate versati: istius quidem calamitatis tuae fortuna particeps non fuit: homines enim in proeliis, non in conviviis, belli fortunam periclitari solent; in illa autem calamitate non Martem fuisse communem sed Venerem possumus dicere. Quodsi fortunam tibi obici non oportet, cur tu fortunae illorum innocentium veniam ac
133 locum non dedisti? etiam illud praecidas licet, te, quod supplicium more maiorum sumpseris securique percusseris, idcirco a me in crimen et in invidiam vocari. Non in supplicio crimen meum vertitur; non ego nego securi quemquam feriri debere; non ego metum ex re militari, non severitatem imperii, non poenam flagitii tolli dico oportere: fateor non modo in socios sed etiam in cives militesque nostros persaepe esse severe ac vehementer vindicatum. Quare haec quoque praetermittas licet. Ego
51 culpam non in nauarchis sed in te fuisse demonstro. Te pretio remiges militesque dimisisse arguo. Hoc nauarchi reliqui dicunt: hoc Netinorum foederata civitas publice

dicit; hoc Herbitenses, hoc Amestratini, hoc Hennenses, Agyrinenses, Tyndaritani publice dicunt; tuus denique testis, tuus imperator, tuus aemulus, tuus hospes Cleomenes hoc dicit, sese in terram esse egressum, ut Pachyno e terrestri praesidio milites colligeret, quos in navibus collocaret. Quod certe non fecisset, si suum numerum naves haberent; ea est enim ratio instructarum ornatarumque navium, ut non modo plures sed ne singuli quidem possint accedere. Dico praeterea illos ipsos reliquos nautas 134
fame atque inopia rerum omnium confectos fuisse ac perditos; dico aut omnes extra culpam fuisse, aut, si uni attribuenda culpa sit, in eo maximam fuisse, qui optimam navem, plurimos nautas haberet, summum imperium obtineret, aut, si omnes in culpa fuerint, non oportuisse Cleomenem constitui spectatorem illorum mortis atque cruciatus. Dico etiam in ipso supplicio mercedem lacrimarum, mercedem volneris atque plagae, mercedem funeris
ac sepulturae constitui nefas fuisse. Quapropter si mihi 135
respondere voles, haec dicito: classem instructam atque ornatam fuisse, nullum vacuum tractum esse remum, rem frumentariam esse suppeditatam; mentiri nauarchos, mentiri tot tam graves civitates, mentiri etiam Siciliam totam; proditum esse te a Cleomene, qui se dixerit exisse in terram, ut Pachyno deduceret milites; animum illis, non copias defuisse; Cleomenem acerrime pugnantem ab eis relictum esse atque desertum; nummum ob sepulturam datum nemini. Quae si dices, tenebere; sin alia dices, ea, quae a me dicta sunt, non refutabis.

Hic tu etiam dicere audebis 'est in iudicibus ille 52
familiaris meus, est paternus amicus ille.' Non, ut quisque 136
maxime est, quicum tibi aliquid sit, ita te in huiusce modi

crimine maxime eius pudet? 'Paternus amicus est.' Ipse pater si iudicaret, per deos immortales, quid facere posses, cum tibi haec diceret: 'tu in provincia populi Romani praetor, cum tibi maritimum bellum esset administrandum, Mamertinis ex foedere quam deberent navem per triennium remisisti; tibi apud eosdem privata navis oneraria maxima publice est aedificata; tu a civitatibus pecunias classis nomine coëgisti; tu pretio remiges dimisisti; tu, navis cum esset ab quaestore et ab legato capta praedonum, archipiratam ab oculis omnium removisti; tu, qui cives Romani esse dicerentur, qui a multis cognoscerentur, securi ferire potuisti; tu tuam domum piratas abducere, tu in
137 iudicium archipiratam domo producere ausus es; tu in provincia tam splendida, tu apud socios fidelissimos, cives Romanos honestissimos, in metu periculoque provinciae, dies continuos complures in litore conviviisque iacuisti; te per eos dies nemo tuae domi convenire, nemo in foro videre potuit; tu matresfamilias sociorum atque amicorum ad ea convivia adhibuisti; tu inter eius modi mulieres praetextatum tuum filium, nepotem meum, collocavisti, ut aetati maxime lubricae atque incertae exempla nequitiae parentis vita praeberet; tu praetor in provincia cum tunica pallioque purpureo visus es; tu propter amorem libidinemque tuam imperium navium legato populi Romani ademisti, Syracusano tradidisti; tui milites in provincia Sicilia frugibus frumentoque caruerunt; tua luxuria atque avaritia classis populi Romani a praedonibus capta et incensa est; post
138 Syracusas conditas quem in portum nunquam hostis accesserat, in eo te praetore primum piratae navigaverunt; neque haec tot et tanta dedecora dissimulatione tua neque oblivione hominum ac taciturnitate tegere voluisti, sed

etiam navium praefectos sine ulla causa de complexu parentum suorum, hospitum tuorum, ad mortem cruciatumque rapuisti: neque te in parentum luctu atque lacrimis mei nominis commemoratio mitigavit: tibi hominum innocentium sanguis non modo voluptati sed etiam quaestui fuit:'—haec si tibi tuus parens diceret, posses ab eo veniam petere? posses, ut tibi ignosceret, postulare?

Satis est factum Siculis, satis officio ac necessitudini, **53**
satis promisso nostro ac recepto: reliqua est ea causa, 139
iudices, quae iam non recepta sed innata, neque delata ad me sed in animo sensuque meo penitus adfixa atque insita est: quae non ad sociorum salutem sed ad civium Romanorum, hoc est ad unius cuiusque nostrum vitam et sanguinem pertinet. In qua nolite a me, quasi dubium sit aliquid, argumenta, iudices, exspectare; omnia, quae dicam, sic erunt illustria, ut ad ea probanda totam Siciliam testem adhibere possim. Furor enim quidam, sceleris et audaciae comes, istius effrenatum animum importunamque naturam tanta oppressit amentia, ut numquam dubitaret in conventu palam supplicia, quae in convictos maleficii servos constituta
sunt, ea in cives Romanos expromere. Virgis quam multos 140
ceciderit, quid ego commemorem? tantum brevissime, iudices, dico: nullum fuit omnino civitatis isto praetore in hoc genere discrimen. Itaque iam consuetudine ad corpora civium Romanorum etiam sine istius nutu ferebatur manus ipsa lictoris.

Num potes hoc negare, Verres, in foro Lilybaei maximo **54**
conventu C. Servilium, civem Romanum e conventu Panhormitano, veterem negotiatorem, ad tribunal, ante pedes tuos, ad terram virgis et verberibus abiectum? Aude hoc primum negare, si potes: nemo Lilybaei fuit quin viderit,

nemo in Sicilia quin audierit. Plagis confectum dico a
lictoribus tuis civem Romanum ante oculos tuos concidisse.
141 At quam ob causam, di immortales! tametsi iniuriam facio
communi causae et iuri civitatis: quasi enim ulla possit
esse causa, cur hoc cuiquam civi Romano iure accidat, ita
quaero, quae in Servilio causa fuerit. Ignoscite in hoc
uno, iudices; in ceteris enim non magno opere causas
requiram. Locutus erat liberius de istius improbitate atque
nequitia. Quod isti simul ac renuntiatum est, hominem
iubet Lilybaeum vadimonium Venerio servo promittere:
promittit; Lilybaeum venitur. Cogere eum coepit, cum
ageret nemo, nemo postularet sponsionem milium nummum
facere cum lictore suo, *ni furtis quaestum faceret*; re-
cuperatores se de cohorte sua dicebat daturum. Servilius
et recusare et deprecari, ne iniquis iudicibus, nullo ad-
142 versario, iudicium capitis in se constitueretur. Haec cum
maxime loqueretur, sex lictores circumsistunt valentissimi
et ad pulsandos verberandosque homines exercitatissimi;
caedunt acerrime virgis; denique proximus lictor, de quo
iam saepe dixi, Sextius, converso bacillo oculos misero
tundere vehementissime coepit. Itaque ille, cum sanguis os
oculosque complesset, concidit; cum illi nihilo minus iacenti
latera tunderent, ut aliquando spondere se diceret. Sic ille
adfectus, illinc tum pro mortuo sublatus, perbrevi postea
est mortuus. Iste autem homo Venerius, adfluens omni
lepore ac venustate, de bonis illius in aede Veneris argen-
teum Cupidinem posuit. Sic etiam fortunis hominum
abutebatur ad nocturna vota cupiditatum suarum.

55 Nam quid ego de ceteris civium Romanorum suppliciis
143 singillatim potius quam generatim atque universe loquar?
Carcer ille, qui est a crudelissimo tyranno Dionysio factus

Syracusis, quae lautumiae vocantur, in istius imperio domicilium civium Romanorum fuit: ut quisque istius animum aut oculos offenderat, in lautumias statim coniciebatur. Indignissimum hoc video videri omnibus, iudices, et id iam priore actione, cum haec testes dicerent, intellexi. Retineri enim putatis oportere iura libertatis non modo hic, ubi tribuni plebis sunt, ubi ceteri magistratus, ubi forum plenum iudiciorum, ubi senatus auctoritas, ubi existimatio populi Romani et frequentia; sed ubicunque terrarum et gentium violatum ius civium Romanorum est, statuitis id pertinere ad communem causam libertatis et
dignitatis. In externorum hominum maleficorum scelera- 144
torumque, in praedonum hostiumque custodias tu tantum numerum civium Romanorum includere ausus es? Nunquamne tibi iudicii, nunquam contionis, nunquam huius tantae frequentiae, quae nunc te animo iniquissimo infestissimoque intuetur, venit in mentem? Nunquam tibi populi Romani absentis dignitas, nunquam species ipsa huiusce multitudinis in oculis animoque versata est? Nunquam te in horum conspectum rediturum, nunquam in forum populi Romani venturum, nunquam sub legum et iudiciorum potestatem casurum esse duxisti?

At quae erat ista libido crudelitatis exercendae? Quae 56
tot scelerum suscipiendorum causa? Nulla, iudices, prae- 145
ter praedandi novam singularemque rationem. Nam ut illi, quos a poetis accepimus, qui sinus quosdam obsedisse maritimos aut aliqua promunturia aut praerupta saxa tenuisse dicuntur, ut eos, qui essent adpulsi navigiis, interficere possent, sic iste in omnia maria infestus ex omnibus Siciliae partibus imminebat. Quaecunque navis ex Asia, quae ex Syria, quae Tyro, quae Alexandria

venerat, statim certis indicibus et custodibus tenebatur; vectores omnes in lautumias coniciebantur; onera atque merces in praetoriam domum deferebantur. Versabatur in Sicilia longo intervallo alter, non Dionysius ille nec Phalaris—tulit enim illa quondam insula multos et crudeles tyrannos,—sed quoddam novum monstrum ex vetere illa immanitate, quae in eisdem locis versata esse dicitur.
146 Non enim Charybdim tam infestam neque Scyllam nautis quam istum in eodem freto fuisse arbitror; hoc etiam iste infestior, quod multo se pluribus et immanioribus canibus succinxerat; Cyclops alter, multo importunior: hic enim totam insulam obsidebat, ille Aetnam solam et eam Siciliae partem tenuisse dicitur.

At quae causa tum subiciebatur ab ipso, iudices, huius tam nefariae crudelitatis? Eadem, quae nunc in defensione commemorabitur. Quicunque accesserant ad Siciliam paullo pleniores, eos Sertorianos milites esse atque a Dianio fugere dicebat. Illi ad deprecandum periculum proferebant, alii purpuram Tyriam, tus alii atque odores vestemque linteam, gemmas alii et margaritas, vina nonnulli Graeca venalesque Asiaticos, ut intellegeretur ex mercibus, quibus ex locis navigarent. Non providerant eas ipsas sibi causas esse periculi, quibus argumentis se ad salutem uti arbitrabantur. Iste enim haec eos ex piratarum societate adeptos esse dicebat; ipsos in lautumias abduci imperabat, naves eorum atque onera diligenter adservanda curabat.

57 His institutis cum completus iam mercatorum carcer
147 esset, tum illa fiebant, quae L. Suetium, equitem Romanum, lectissimum virum, dicere audistis, et quae ceteros audietis. Cervices in carcere frangebantur indignissime

civium Romanorum, ut iam illa vox et imploratio *civis*
Romanus sum, quae saepe multis in ultimis terris opem
inter barbaros et salutem tulit, ea mortem illis acerbiorem
et supplicium maturius ferret. Quid est, Verres? quid
ad haec cogitas respondere? num mentiri me? num
fingere aliquid? Num augere crimen? Num quid horum
dicere istis defensoribus tuis audes? Cedo mihi, quaeso,
ex ipsius sinu litteras Syracusanorum, quas iste ad arbit-
rium suum confectas esse arbitratur; cedo rationem car-
ceris, quae diligentissime conficitur, quo quisque die datus
in custodiam, quo mortuus, quo necatus sit. LITTERAE
SYRACUSANORUM. Videtis cives Romanos gregatim con- 148
iectos in lautumias; videtis indignissimo in loco coacer-
vatam multitudinem vestrorum civium. Quaerite nunc
vestigia, quibus exitus eorum ex illo loco compareant:
nulla sunt. Omnesne mortui? si ita posset defendere,
tamen fides huic defensioni non haberetur. Sed scriptum
exstat in eisdem litteris, quod iste homo barbarus ac dis-
solutus neque attendere umquam neque intellegere potuit:
ἐδικαιώθησαν, inquit, hoc est, ut Siculi loquuntur, supplicio
adfecti ac necati sunt. Si qui rex, si qua civitas extera- **58**
rum gentium, si qua natio fecisset aliquid in cives Romanos 149
eius modi, nonne publice vindicaremus? nonne bello per-
sequeremur? Possemus hanc iniuriam ignominiamque
nominis Romani inultam impunitamque dimittere? quot
bella maiores nostros et quanta suscepisse arbitramini,
quod cives Romani iniuria adfecti, quod navicularii retenti,
quod mercatores spoliati dicerentur? At ego iam retentos
non queror: spoliatos ferendum puto: navibus, mancipiis,
mercibus ademptis, in vincla mercatores esse coniectos et
in vinclis cives Romanos necatos esse arguo. Si haec 150

apud Scythas dicerem, non hic in tanta multitudine civium Romanorum, non apud senatores, lectissimos civitatis, non in foro populi Romani, de tot et tam acerbis suppliciis civium Romanorum, tamen animos etiam barbarorum hominum permoverem: tanta enim huius imperii amplitudo, tanta nominis Romani dignitas est apud omnes nationes, ut ista in nostros homines crudelitas nemini concessa esse videatur. Nunc tibi ego ullam salutem, ullum perfugium putem, cum te implicatum severitate iudicum, circumretitum frequentia populi Romani esse
151 videam? Si mehercule—id quod fieri non posse intellego —ex his te laqueis exueris ac te aliqua via ac ratione explicaris, in illas tibi maiores plagas incidendum est, in quibus te ab eodem me superiore ex loco confici et concidi necesse est. Cui si etiam id, quod defendit, velim concedere, tamen ipsa illa falsa defensio non minus esse ei perniciosa quam mea vera accusatio debeat.

Quid enim defendit? ex Hispania fugientes se excepisse et supplicio adfecisse dicit. Quis tibi id permisit? quo
152 iure fecisti? quis idem fecit? qui tibi id facere licuit? forum plenum et basilicas istorum hominum videmus, et animo aequo videmus. Civilis enim dissensionis et seu amentiae seu fati seu calamitatis non est iste molestus exitus, in quo reliquos saltem cives incolumes licet conservare: Verres, ille vetus proditor consulis, translator quaesturae, aversor pecuniae publicae, tantum sibi auctoritatis in re publica suscepit, ut, quibus hominibus per senatum, per populum Romanum, per omnes magistratus in foro, in suffragiis, in hac urbe, in re publica versari liceret, eis omnibus mortem acerbam crudelemque proponeret, si fortuna eos ad aliquam partem Siciliae detulisset.

Ad Cn. Pompeium, clarissimum virum et fortissimum, 153
permulti, occiso Perperna, ex illo Sertoriano numero mili-
tum confugerunt: quem non ille summo cum studio salvum
incolumemque servavit? cui civi supplici non illa dextera
invicta fidem porrexit et spem salutis ostendit? itane
vero? quibus fuit portus apud eum, quem contra arma
tulerant, eis apud te, cuius nullum in re publica momen-
tum unquam fuit, mors et cruciatus erat constitutus?
Vide quam commodam defensionem excogitaris! Malo 59
mehercule id, quod tu defendis, his iudicibus populoque
Romano quam id, quod ego insimulo, probari; malo, in-
quam, te isti generi hominum quam mercatoribus et navi-
culariis inimicum atque infestum putari. Meum enim
crimen avaritiae te nimiae coarguit, tua defensio furoris
cuiusdam et immanitatis et inauditae crudelitatis et paene
novae proscriptionis. Sed non licet me isto tanto bono, 154
iudices, uti; non licet. Adsunt enim Puteoli toti: fre-
quentissimi venerunt ad hoc iudicium mercatores, homines
locupletes atque honesti, qui partim socios suos, partim
libertos, partim collibertos spoliatos, in vincla coniectos,
partim in vinclis necatos, partim securi percussos esse
dicunt. Hic vide quam me sis usurus aequo. Cum ego
P. Granium testem produxero, qui suos libertos abs te
securi percussos esse dicat, qui abs te navem suam merces-
que repetat, refellito, si poteris: meum testem deseram,
tibi favebo; te, inquam, adiuvabo. Ostendito illos cum
Sertorio fuisse, ab Dianio fugientes ad Siciliam esse dela-
tos: nihil est, quod te mallem probare; nullum enim
facinus, quod maiore supplicio dignum sit, reperiri neque
proferri potest. Reducam iterum equitem Romanum, 155
L. Flavium, si voles, quoniam priore actione, ut patroni

tui dictitant, nova quadam sapientia, ut omnes intellegunt, conscientia tua atque auctoritate meorum testium testem nullum interrogasti. Interrogetur Flavius, si voles, quinam fuerit L. Herennius, is quem ille argentariam Lepti fecisse dicit: qui cum amplius centum cives Romanos haberet ex conventu Syracusano, qui eum non solum cognoscerent sed etiam lacrimantes ac te implorantes defenderent, tamen inspectantibus omnibus Syracusanis securi percussus est. Hunc quoque testem meum refelli et illum Herennium Sertorianum fuisse abs te demonstrari et probari volo.

60 Quid de illa multitudine dicemus eorum, qui capitibus
156 involutis in piratarum captivorum numero producebantur,
ut securi ferirentur? Quae ista nova diligentia, quam ob
causam abs te excogitata? An te L. Flavii ceterorumque
de L. Herennio vociferatio commovebat? An M. Annii,
gravissimi atque honestissimi viri, summa auctoritas paullo
diligentiorem timidioremque fecerat? Qui nuper pro
testimonio non advenam nescio quem nec alienum, sed
eum civem Romanum, qui omnibus in illo conventu notus,
qui Syracusis natus esset, abs te securi percussum esse
157 dixit. Post hanc illorum vociferationem, post hanc com-
munem famam atque querimoniam non mitior in supplicio
sed diligentior esse coepit: capitibus involutis cives
Romanos ad necem producere instituit; quos tamen
idcirco necabat palam, quod homines in conventu—id
quod antea dixi—nimium diligenter praedonum numerum
requirebant. Haecine plebi Romanae te praetore est con-
stituta condicio? Haec negotii gerendi spes? Hoc capitis
vitaeque discrimen? Parumne multa mercatoribus sunt
necessario pericula subeunda fortunae, nisi etiam hae

formidines ab nostris magistratibus atque in nostris pro-
vinciis impendebunt? ad eamne rem fuit haec suburbana
ac fidelis Sicilia, plena optimorum sociorum honestissi-
morumque civium, quae cives Romanos omnes suis ipsa
sedibus libentissime semper accepit, ut, qui usque ex
ultima Syria atque Aegypto navigarent, qui apud barbaros
propter togae nomen in honore aliquo fuissent, qui ex
praedonum insidiis, qui ex tempestatum periculis pro-
fugissent, in Sicilia securi ferirentur, cum se iam domum
venisse arbitrarentur?

Nam quid ego de P. Gavio, Consano municipe, dicam, 61
iudices? Aut qua vi vocis, qua gravitate verborum, quo 158
dolore animi dicam? Tametsi dolor me non deficit; ut
cetera mihi in dicendo digna re, digna dolore meo sup-
petant, magis laborandum est. Quod crimen eius modi
est, ut, cum primum ad me delatum est, usurum me illo
non putarem; tametsi enim verissimum esse intellegebam,
tamen credibile fore non arbitrabar. Coactus lacrimis
omnium civium Romanorum, qui in Sicilia negotiantur,
adductus Valentinorum, hominum honestissimorum, om-
niumque Reginorum testimoniis multorumque equitum
Romanorum, qui casu tum Messanae fuerunt, dedi tantum
priore actione testium, res ut nemini dubia esse posset.
Quid nunc agam? Cum iam tot horas de uno genere ac 159
de istius nefaria crudelitate dicam, cum prope omnem
vim verborum eius modi, quae scelere istius digna sint,
aliis in rebus consumpserim, neque hoc providerim, ut
varietate criminum vos attentos tenerem: quem ad
modum de tanta re dicam? Opinor, unus modus atque
una ratio est. Rem in medio ponam; quae tantum
habet ipsa gravitatis, ut neque mea, quae nulla est,

neque cuiusquam ad inflammandos vestros animos elo-
quentia requiratur.
160 Gavius hic, quem dico, Consanus, cum in illo numero
civium Romanorum ab isto in vincla coniectus esset et
nescio qua ratione clam e lautumiis profugisset Messa-
namque venisset: qui tam prope iam Italiam et moenia
Reginorum, civium Romanorum, videret et ex illo metu
mortis ac tenebris quasi luce libertatis et odore aliquo
legum recreatus revixisset, loqui Messanae et queri coepit,
se civem Romanum in vincla coniectum, sibi recta iter
62 esse Romam, Verri se praesto advenienti futurum. Non
intellegebat miser nihil interesse, utrum haec Messanae
an apud istum in praetorio loqueretur. Nam, ut antea
vos docui, hanc sibi iste urbem delegerat, quam haberet
adiutricem scelerum, furtorum receptricem, flagitiorum
omnium consciam. Itaque ad magistratum Mamertinum
statim deducitur Gavius; eoque ipso die casu Messanam
Verres venit. Res ad eum defertur: esse civem Romanum,
qui se Syracusis in lautumiis fuisse quereretur; quem iam
ingredientem in navem et Verri nimis atrociter mini-
tantem ab se retractum esse et adservatum, ut ipse in
161 eum statueret quod videretur. Agit hominibus gratias et
eorum benevolentiam erga se diligentiamque collaudat.
Ipse inflammatus scelere et furore in forum venit:
ardebant oculi; toto ex ore crudelitas eminebat. Ex-
spectabant omnes, quo tandem progressurus aut quidnam
acturus esset, cum repente hominem proripi atque in foro
medio nudari ac deligari et virgas expediri iubet. Clamabat
ille miser se civem esse Romanum, municipem Consanum;
meruisse cum L. Raecio, splendidissimo equite Romano,
qui Panhormi negotiaretur, ex quo haec Verres scire

posset. Tum iste, se comperisse eum speculandi causa
in Siciliam a ducibus fugitivorum esse missum,—cuius
rei neque index neque vestigium aliquod neque suspicio
cuiquam esset ulla; deinde iubet undique hominem
vehementissime verberari. Caedebatur virgis in medio 162
foro Messanae civis Romanus, iudices, cum interea nullus
gemitus, nulla vox alia illius miseri inter dolorem crepi-
tumque plagarum audiebatur nisi haec: *civis Romanus
sum.* Hac se commemoratione civitatis omnia verbera
depulsurum cruciatumque a corpore deiecturum arbi-
trabatur. Is non modo hoc non perfecit, ut virgarum
vim deprecaretur, sed, cum imploraret saepius usurparetque
nomen civitatis, crux, crux, inquam, infelici et aerumnoso,
qui nunquam istam pestem viderat, comparabatur.

O nomen dulce libertatis! O ius eximium nostrae **63**
civitatis! O lex Porcia legesque Semproniae! O graviter 163
desiderata et aliquando reddita plebi Romanae tribunicia
potestas! Hucine tandem haec omnia reciderunt, ut
civis Romanus in provincia populi Romani, in oppido
foederatorum ab eo, qui beneficio populi Romani fasces
et secures haberet, deligatus in foro virgis caederetur?
Quid? Cum ignes ardentesque laminae ceterique cruci-
atus admovebantur, si te illius acerba imploratio et vox
miserabilis non inhibebat, ne civium quidem Romanorum,
qui tum aderant, fletu et gemitu maximo commovebare?
In crucem tu agere ausus es quemquam, qui se civem
Romanum esse diceret? Nolui tam vehementer agere
hoc prima actione, iudices, nolui. Vidistis enim, ut animi
multitudinis in istum dolore et odio et communis periculi
metu concitarentur. Statui egomet mihi tum modum
[orationi meae] et C. Numitorio, equiti Romano, primo

homini, testi meo; et Glabrionem, id quod sapientissime fecit, facere laetatus sum, ut repente consilium in medio testimonio dimitteret. Etenim verebatur, ne populus Romanus ab isto eas poenas vi repetisse videretur, quas veritus esset ne iste legibus ac vestro iudicio non esset
164 persoluturus. Nunc, quoniam exploratum est omnibus, quo loco causa tua sit et quid de te futurum sit, sic tecum agam: Gavium istum, quem repentinum speculatorem fuisse dicis, ostendam in lautumias Syracusis abs te esse coniectum; neque id solum ex litteris ostendam Syracusanorum, ne possis dicere me, quia sit aliquis in litteris Gavius, hoc fingere et eligere nomen, ut hunc illum esse possim dicere, sed ad arbitrium tuum testes dabo, qui istum ipsum Syracusis abs te in lautumias coniectum esse dicant. Producam etiam Consanos, municipes illius ac necessarios, qui te nunc sero doceant, iudices non sero, illum P. Gavium, quem tu in crucem egisti, civem Romanum et municipem Consanum, non speculatorem fugitivorum fuisse.

64 Cum haec omnia, quae polliceor, cumulate tuis proximis
165 plana fecero, tum istuc ipsum tenebo, quod abs te mihi datur; eo contentum me esse dicam. Quid enim nuper tu ipse, cum populi Romani clamore atque impetu perturbatus exsiluisti, quid, inquam, locutus es? illum, quod moram supplicio quaereret, ideo clamitasse se esse civem Romanum, sed speculatorem fuisse. Iam mei testes veri sunt. Quid enim dicit aliud C. Numitorius? quid M. et P. Cottii, nobilissimi homines ex agro Tauromenitano? quid Q. Lucceius, qui argentariam Regii maximam fecit? quid ceteri? adhuc enim testes ex eo genere a me sunt dati, non qui novisse Gavium, sed se vidisse dicerent cum is, qui se

civem Romanum esse clamaret, in crucem ageretur. Hoc
tu, Verres, idem dicis; hoc tu confiteris, illum clamitasse se
civem esse Romanum; apud te nomen civitatis ne tantum
quidem valuisse, ut dubitationem aliquam, ut crudelissimi
taeterrimique supplicii aliquam parvam moram saltem posset
adferre. Hoc teneo, hic haereo, iudices, hoc sum contentus 166
uno; omitto ac neglego cetera: sua confessione induatur
ac iuguletur necesse est. Qui esset ignorabas, speculatorem
esse suspicabare; non quaero qua suspicione, tua te accuso
oratione: civem Romanum se esse dicebat. Si tu apud
Persas aut in extrema India deprehensus, Verres, ad sup-
plicium ducerere, quid aliud clamitares nisi te civem esse
Romanum? et si tibi ignoto apud ignotos, apud barbaros,
apud homines in extremis atque ultimis gentibus positos,
nobile et illustre apud omnes nomen civitatis tuae profuisset:
ille, quisquis erat, quem tu in crucem rapiebas, qui tibi
esset ignotus, cum civem se Romanum esse diceret, apud te
praetorem populi Romani, si non effugium, ne moram
quidem mortis mentione atque usurpatione civitatis adsequi
potuit? Homines tenues, obscuro loco nati, navigant, adeunt **65**
ad ea loca, quae nunquam antea viderunt, ubi neque noti 167
esse eis quo venerunt, neque semper cum cognitoribus esse
possunt. Hac una tamen fiducia civitatis non modo apud
nostros magistratus, qui et legum et existimationis periculo
continentur, neque apud cives solum Romanos, qui et
sermonis et iuris et multarum rerum societate iuncti sunt,
fore se tutos arbitrantur, sed, quocunque venerint, hanc
sibi rem praesidio sperant futuram. Tolle hanc spem, tolle 168
hoc praesidium civibus Romanis; constitue nihil esse opis
in hac voce: *civis Romanus sum*; posse impune praetorem
aut alium quemlibet supplicium quod velit in eum consti-

tuere qui se civem Romanum esse dicat, quod qui sit ignoret: iam omnes provincias, iam omnia regna, iam omnes liberas civitates, iam omnem orbem terrarum, qui semper nostris hominibus maxime patuit, civibus Romanis ista defensione praecluseris. Quid? si L. Raecium, equitem Romanum, qui tum in Sicilia erat, nominabat, etiamne id magnum fuit Panhormum litteras mittere? Adservasses hominem custodiis Mamertinorum tuorum, vinctum, clausum habuisses, dum Panhormo Raecius veniret; cognosceret hominem, aliquid de summo supplicio remitteres; si ignoraret, tum, si ita tibi videretur, hoc iuris in omnes constitueres, ut, qui neque tibi notus esset neque cognitorem locupletem daret quamvis civis Romanus esset, in crucem tolleretur.

66 Sed quid ego plura de Gavio? Quasi tu Gavio tum fueris
169 infestus ac non nomini, generi, iuri civium hostis. Non illi, inquam, homini sed causae communi libertatis inimicus fuisti. Quid enim attinuit, cum Mamertini more atque instituto suo crucem fixissent post urbem in via Pompeia, te iubere in ea parte figere, quae ad fretum spectaret, et hoc addere, quod negare nullo modo potes, quod omnibus audientibus dixisti palam, te idcirco illum locum deligere, ut ille, quoniam se civem Romanum esse diceret, ex cruce Italiam cernere ac domum suam prospicere posset? Itaque illa crux sola, iudices, post conditam Messanam illo in loco fixa est; Italiae conspectus ad eam rem ab isto delectus est, ut ille in dolore cruciatuque moriens perangusto fretu divisa servitutis ac libertatis iura cognosceret, Italia autem alumnum suum servitutis extremo summoque supplicio
170 adfixum videret. Facinus est vincire civem Romanum, scelus verberare, prope parricidium necare: quid dicam in crucem tollere? Verbo satis digno tam nefaria res appellari

nullo modo potest. Non fuit his omnibus iste contentus: 'spectet', inquit, 'patriam; in conspectu legum libertatisque moriatur'. Non tu hoc loco Gavium, non unum hominem nescio quem, sed communem libertatis et civitatis causam in illum cruciatum et crucem egisti. Iam vero videte hominis audaciam. Nonne eum graviter tulisse arbitramini, quod illam civibus Romanis crucem non posset in foro, non in comitio, non in rostris defigere? Quod enim his locis in provincia sua celebritate simillimum, regione proximum potuit, elegit; monumentum sceleris audaciaeque suae voluit esse in conspectu Italiae, vestibulo Siciliae, praetervectione omnium, qui ultro citroque navigarent.

Si haec non ad cives Romanos, non ad aliquos amicos 67
nostrae civitatis, non ad eos, qui populi Romani nomen 171
audissent, denique si non ad homines, verum ad bestias, aut etiam, ut longius progrediar, si in aliqua desertissima solitudine ad saxa et scopulos haec conqueri ac deplorare vellem, tamen omnia muta atque inanima tanta et tam indigna rerum acerbitate commoverentur: nunc vero cum loquar apud senatores populi Romani, legum et iudiciorum et iuris auctores, timere non debeo, ne non unus iste civis Romanus illa cruce dignus, ceteri omnes simili periculo
indignissimi iudicentur. Paullo ante, iudices, lacrimas in 172
morte misera atque indignia nauarchorum non tenebamus, et recte ac merito sociorum innocentium miseria commovebamur: quid nunc in nostro sanguine tandem facere debemus? Nam civium Romanorum omnium sanguis coniunctus existimandus est, quoniam et salutis omnium ratio et veritas postulat. Omnes hoc loco cives Romani, et qui adsunt et qui ubique sunt, vestram severitatem desiderant, vestram fidem implorant, vestrum auxilium requirunt;

omnia sua iura, commoda, auxilia, totam denique libertatem
173 in vestris sententiis versari arbitrantur. A me tametsi
satis habent, tamen si res aliter acciderit, plus habebunt
fortasse quam postulant. Nam si qua vis istum de vestra
severitate eripuerit — id quod neque metuo, iudices, neque
ullo modo fieri posse video —, sed si in hoc me ratio
fefellerit, Siculi causam suam perisse querentur et mecum
pariter moleste ferent, populus quidem Romanus brevi,
quoniam mihi potestatem apud se agendi dedit, ius suum
me agente suis suffragiis ante Kal. Februarias recuperabit.
Ac si de mea gloria atque amplitudine quaeritis, iudices,
non est alienum meis rationibus, istum mihi ex hoc iudicio
ereptum ad illud populi Romani iudicium reservari.
Splendida est illa causa, probabilis mihi et facilis, populo
grata atque iucunda. Denique si videor hic, id quod ego
non quaesivi, de uno isto voluisse crescere, isto absoluto,
quod sine multorum scelere fieri non potest, de multis mihi
crescere licebit.

68 Sed mehercule vestra reique publicae causa, iudices, nolo
in hoc delecto consilio tantum flagitii esse commissum; nolo
eos iudices, quos ego probarim atque delegerim, sic in hac
urbe notatos isto absoluto ambulare, ut non cera sed caeno
174 obliti esse videantur. Quam ob rem te quoque, Hortensi,
si qui monendi locus ex hoc loco est, moneo: videas etiam
atque etiam et consideres, quid agas, quo progrediare, quem
hominem et qua ratione defendas. Neque de illo tibi quic-
quam praefinio, quo minus ingenio mecum atque omni
dicendi facultate contendas: cetera si qua putas te occultius
extra iudicium, quae ad iudicium pertineant, facere posse;
si quid artificio, consilio, potentia, gratia, copiis istius
moliri cogitas, magno opere censeo desistas, et illa, quae

temptata iam et coepta sunt ab isto, a me autem pervesti-
gata et cognita, moneo ut exstinguas et longius progredi ne
sinas. Magno tuo periculo peccabitur in hoc iudicio, maiore
quam putas. Quod enim te liberatum iam existimationis 175
metu, defunctum honoribus, designatum consulem cogites,
mihi crede, ornamenta ista et beneficia populi Romani non
minore negotio retinentur quam comparantur. Tulit haec
civitas, quoad potuit, quoad necesse fuit, regiam istam
vestram dominationem in iudiciis et in omni re publica;
tulit: sed quo die populo Romano tribuni plebi restituti
sunt, omnia ista vobis, si forte nondum intellegitis, adempta
atque erepta sunt. Omnium nunc oculi coniecti sunt hoc
ipso tempore in unum quemque nostrum, qua fide ego
accusem, qua religione hi iudicent, qua tu ratione defendas.
De omnibus nobis, si qui tantulum de recta regione deflexerit, 176
non illa tacita existimatio, quam antea contemnere solebatis,
sed vehemens ac liberum populi Romani iudicium conseque-
tur. Nulla tibi, Quinte, cum isto cognatio, nulla necessitudo;
quibus excusationibus antea nimium in aliquo iudicio
studium tuum defendere solebas, earum habere in hoc
homine nullam potes. Quae iste in provincia palam
dictitabat, cum ea, quae faciebat, tua se fiducia facere
dicebat, ea ne vera putentur tibi maxime est providendum.
Ego mei rationem iam officii confido esse omnibus iniquissi- 69
mis meis persolutam; nam istum paucis horis primae 177
actionis omnium mortalium sententiis condemnavi. Reli-
quum iudicium iam non de mea fide, quae perspecta est, nec
de istius vita, quae damnata est, sed de iudicibus et, vere ut
dicam, de te futurum est. At quo tempore futurum est?
— nam id maxime providendum est; etenim cum omnibus
in rebus, tum in re publica permagni momenti est ratio

atque inclinatio temporum — nempe eo, cum populus Romanus aliud genus hominum atque alium ordinem ad res iudicandas requirit; nempe lege de iudiciis iudicibusque novis promulgata. Quam non is promulgavit, quo nomine proscriptam videtis, sed hic reus; hic, inquam, sua spe atque opinione, quam de vobis habet, legem illam scribendam
178 promulgandamque curavit. Itaque cum primo agere coepimus, lex non erat promulgata; cum iste vestra severitate permotus multa signa dederat, quam ob rem responsurus non videretur, mentio de lege nulla fiebat: postea quam iste recreari et confirmari visus est, lex statim promulgata est. Cui legi cum vestra dignitas vehementer adversetur, istius spes falsa et insignis impudentia maxime suffragatur. Hic si quid erit commissum a quoquam vestrum quod reprehendatur, aut populus Romanus iudicabit de eo homine, quem iam ante iudiciis indignum putarit, aut ei, qui propter offensionem iudiciorum de veteribus iudicibus lege nova novi iudices erunt constituti.
70 Mihi porro, ut ego non dicam, quis omnium mortalium non
179 intellegit quam longe progredi sit necesse? Potero silere, Hortensi, potero dissimulare, cum tantum res publica volnus acceperit, ut expilatae provinciae, vexati socii, di immortales spoliati, cives Romani cruciati et necati impune me actore esse videantur? potero ego hoc onus tantum aut in hoc iudicio deponere aut tacitus sustinere? non agitanda res erit? non in medium proferenda? non populi Romani fides imploranda? non omnes, qui tanto se scelere obstrinxerunt, ut aut fidem suam corrumpi paterentur aut iudicium
180 corrumperent, in discrimen ac iudicium vocandi? quaeret aliquis fortasse: 'tantumne igitur laborem, tantas inimicitias tot hominum suscepturus es?' non studio quidem

hercule ullo neque voluntate; sed non idem licet mihi,
quod eis, qui nobili genere nati sunt, quibus omnia populi
Romani beneficia dormientibus deferuntur: longe alia mihi
lege in hac civitate et condicione vivendum est. Venit
mihi in mentem M. Catonis, hominis sapientissimi et
vigilantissimi: qui cum se virtute, non genere, populo
Romano commendari putaret, cum ipse sui generis initium
ac nominis ab se gigni et propagari vellet, hominum poten-
tissimorum suscepit inimicitias et maximis in laboribus
usque ad summam senectutem summa cum gloria vixit. 181
Postea Q. Pompeius, humili atque obscuro loco natus, nonne
plurimis inimicitiis maximisque suis periculis ac laboribus
amplissimos honores est adeptus? modo C. Fimbriam, C.
Marium, C. Caelium vidimus non mediocribus inimicitiis ac
laboribus contendere, ut ad istos honores pervenirent, ad
quos vos per ludum et per neglegentiam pervenistis. Haec
eadem est nostrae rationis regio et via; horum nos
hominum sectam atque instituta persequimur. Videmus, **71**
quanta sit in invidia quantoque in odio apud quosdam
nobiles homines novorum hominum virtus et industria: si
tantulum oculos deiecerimus, praesto esse insidias; si
ullum locum aperuerimus suspicioni aut crimini, accipien-
dum statim volnus esse; semper nobis vigilandum, semper
laborandum videmus. Inimicitiae sunt: subeantur; labor:
suscipiatur. Etenim tacitae magis et occultae inimicitiae 182
timendae sunt quam indictae atque apertae: hominum
nobilium non fere quisquam nostrae industriae favet; nullis
nostris officiis benevolentiam illorum adlicere possumus;
quasi natura et genere diiuncti sint, ita dissident a nobis
animo ac voluntate: quare quid habent eorum inimicitiae
periculi, quorum animos iam ante habueris inimicos et

183 invidos quam ullas inimicitias susceperis? quam ob rem
mihi, iudices, optatum illud est, in hoc reo finem accusandi
facere, cum et populo Romano satis factum et receptum
officium Siculis, necessariis meis, erit persolutum; delibera-
tum autem est, si res opinionem meam, quam de vobis
habeo, fefellerit, non modo eos persequi, ad quos maxime
culpa corrupti iudicii, sed etiam illos, ad quos conscientiae
contagio pertinebit. Proinde si qui sunt, qui in hoc reo
aut potentes aut audaces aut artifices ad corrumpendum
iudicium velint esse, ita sint parati, ut disceptante populo
Romano mecum sibi rem videant futuram; et si me in hoc
reo, quem mihi inimicum Siculi dederunt, satis vehementem,
satis perseverantem, satis vigilantem esse cognorunt, existi-
ment in his hominibus, quorum ego inimicitias populi
Romani salutis causa suscepero, multo graviorem atque
acriorem futurum.

72 Nunc te, Iuppiter Optime Maxime, cuius iste donum
184 regale, dignum tuo pulcherrimo templo, dignum Capitolio
atque ista arce omnium nationum, dignum regio munere,
tibi factum ab regibus, tibi dicatum atque promissum, per
nefarium scelus de manibus regiis extorsit, cuiusque sanctis-
simum et pulcherrimum simulacrum Syracusis sustulit;
teque, Iuno Regina, cuius duo fana duabus in insulis posita
sociorum, Melitae et Sami, sanctissima et antiquissima,
simili scelere idem iste omnibus donis ornamentisque
nudavit; teque, Minerva, quam item duobus in clarissimis
et religiosissimis templis expilavit, Athenis, cum auri
grande pondus, Syracusis, cum omnia praeter tectum et
parietes abstulit; teque, Latona, et Apollo et Diana,
quorum iste Deli non fanum, sed, ut hominum opinio et
religio fert, sedem antiquam divinumque domicilium

nocturno latrocinio atque impetu compilavit; etiam te, Apollo, quem iste Chio sustulit; teque etiam atque etiam, Diana, quam Pergae spoliavit, cuius simulacrum sanctissimum Segestae, bis apud Segestanos consecratum, semel ipsorum religione, iterum P. Africani victoria, tollendum asportandumque curavit; teque, Mercuri, quem Verres in domo et in privata aliqua palaestra posuit, P. Africanus in
urbe sociorum et in gymnasio Tyndaritanorum iuventutis 186
illorum custodem ac praesidem voluit esse; teque, Hercules, quem iste Agrigenti nocte intempesta servorum instructa et comparata manu convellere ex suis sedibus atque auferre conatus est; teque, sanctissima Mater Idaea, quam apud Enguinos augustissimo et religiosissimo in templo sic spoliatam reliquit, ut nunc nomen modo Africani et vestigia violatae religionis maneant, monumenta victoriae fanique ornamenta non exstent; vosque, omnium rerum forensium, consiliorum maximorum, legum iudiciorumque arbitri et testes, celeberrimo in loco populi Romani locati, Castor et Pollux, quorum e templo quaestum iste sibi et praedam improbissimam comparavit; omnesque di, qui vehiculis tensarum sollemnes coetus ludorum initis, quorum iter iste ad suum quaestum, non ad religionum dignitatem faciundum
exigendumque curavit; teque, Ceres, et Libera, quarum 187
sacra, sicut opiniones hominum ac religiones ferunt, longe maximis atque occultissimis caerimoniis continentur, a quibus initia vitae atque victus, morum, legum, mansuetudinis, humanitatis hominibus et civitatibus data ac dispertita esse dicuntur, quarum sacra populus Romanus a Graecis ascita et accepta tanta religione et publice et privatim tuetur, non ut ab illis huc adlata, sed ut ceteris hinc tradita esse videantur; quae ab isto uno sic polluta ac

violata sunt, ut simulacrum Cereris unum, quod a viro non modo tangi sed ne aspici quidem fas fuit, e sacrario Catina convellendum auferendumque curaverit, alterum autem Henna ex sua sede ac domo sustulerit, quod erat tale, ut homines, cum viderent, aut ipsam videre se Cererem aut effigiem Cereris non humana manu factam sed de caelo
188 lapsam arbitrarentur; vos etiam atque etiam imploro et appello, sanctissimae deae, quae illos Hennenses lacus lucosque incolitis, cunctaeque Siciliae, quae mihi defendenda tradita est, praesidetis, a quibus inventis frugibus et in orbem terrarum distributis, omnes gentes ac nationes vestri religione numinis continentur; ceteros item deos deasque omnes imploro et obtestor, quorum templis et religionibus iste nefario quodam furore et audacia instinctus bellum sacrilegum semper impiumque habuit indictum: ut, si in hoc reo atque in hac causa omnia mea consilia ad salutem sociorum, dignitatem populi Romani, fidem meam spectaverunt, si nullam ad rem nisi ad officium et veritatem omnes meae curae, vigiliae cogitationesque laborarunt, quae mea mens in suscipienda causa fuit, fides in agenda, eadem
189 vestra sit in iudicanda; deinde uti G. Verrem, si eius omnia sunt inaudita et singularia facinora sceleris, audaciae, perfidiae, libidinis, avaritiae, crudelitatis, dignus exitus eius modi vita atque factis vestro iudicio consequatur; utique res publica meaque fides una hac accusatione mea contenta sit, mihique posthac bonos potius defendere liceat quam improbos accusare necesse sit.

NOTES

1. 1. privatim et publice=**privata et publica.** Cf. § 128.

non modo religione : 'I will not say without any religious scruple, but even . . .' For *religione* cf. 2 *Verr.* iv. § 75, *cum summa religione tum summo metu legum et iudiciorum teneri* : 'to be bound not only by the deepest religious scruples, but also by the deepest fear of the laws and legal procedure.'

magnifica et praeclara : 'of a lofty and noble strain.' Cf. Cic. *de Orat.* ii. 21, 89, *genus* (=*style*) *Crassi magnificum et praeclarum.*

ita causa constituitur : 'the line adopted by the defence is that . . .' Cf. 2 *Verr.* ii. § 149, *mihi renuntiatur ita constitui a tuis patronis causam tuam.*

a fugitivis atque a belli periculis : hendiadys. Sicily had on several previous occasions been the scene of serious servile insurrections—*e.g.* in B.C. 135, when the slaves rose under Eunus and were with great difficulty defeated by P. Rupilius in B.C. 132 : again in B.C. 103 they broke out, headed by Trypho and Athenio, and for five years maintained a vigorous resistance against the arms of Rome. From 73-71 B.C. Italy itself had been ravaged by bands of slaves and gladiators under Spartacus and Crixus, until the insurrection was quelled by M. Crassus. Verres maintained that he had prevented the slaves in Sicily from joining this revolt. Cf. § 5 foll.

2. **locum** : 'the ground of argument'=τόπος. Cicero (*Top.* ii. 7) defines these 'loci' as '*quasi sedes e quibus argumenta promuntur*,' '*argumenti sedes*,' a place whence arguments are to be drawn. Cf. Cic. *de Orat.* i. 13, 56, with Prof. Wilkins's note.

Hortensius. Cf. Introd. § 9.

tempora r. p. : referring chiefly to the wars Rome then had on hand against Mithradates in the East, and against the pirates who were infesting the coasts of the Mediterranean ; perhaps also to the growing power of Pompeius, already viewed with suspicion by the Senate.

pro suo iure. Cf. *de Orat.* ii. 72, 294, *pro meo iure*='as if I were

quite within my rights'; *de Off.* i. § 111: *sermone eo debemus uti, qui notus est nobis, ne iure summo* (=deservedly) *rideamur.*

Siculorum testimoniis. The inhabitants of Sicily had become considerably hellenised in Cicero's time by the admixture of a Greek element with the native population. The Romans always expressed much contempt for the degenerate Greeks of this period (cf. *de Orat.* i. § 47, Juv. iii. 78). The implied inferiority of the Sicilians to the Romans is brought out more forcibly by the juxtaposition of *Romano Siculorum.*

3. **M'. Aquilii**: Consul in B.C. 101. He obtained a triumph for his success in quelling the servile insurrection in Sicily, headed by Athenio (see note to **1.** 1.), but was afterwards accused by L. Fufius of maladministration, and, though the evidence against him seems to have been overwhelming, he secured an acquittal through the eloquence of M. Antonius, and his own reputation as a general (Cic. *pro Flacc.* 39, 98, *de Orat.* ii. 28, 124; 47, 194, *de Off.* ii. § 14, 50).

M. Antonii. The grandfather of the triumvir, born B.C. 143, Consul B.C. 99. Cicero frequently mentions him with great admiration for his eloquence: (*Eloquentissimus omnium quos ego audierim, Tusc.* v. 19, § 55), and considered him and Crassus as the greatest orators of their age (*Brut.* § 138 foll.). He is one of the chief speakers in Cicero's treatise *de Oratore*; he was 'specially distinguished for his readiness and skill in the invention of arguments, for the art with which he arranged them, and for the tenacious memory, owing to which he was never at a loss, and always avoided the appearance of undue elaboration . . . Hence he is made to discourse on the subjects of *inventio, collocatio*, and *memoria* in bk. ii. In the other books he appears mainly as the champion of practice as opposed to theory' (Prof. Wilkins's Introduction to the *de Oratore*).

tunicam . . . abscidit. Cf. *de Orat.* ii. 28, 124: *in causa peroranda non dubitavit excitare reum consularem* (M'. Aquilium) *et eius diloricare tunicam et iudicibus cicatrices adversas senis imperatoris ostendere.* 'At the close of his case he did not hesitate to set the consul up in the midst and tear open the tunic and show the judges the scars on the aged general's breast.'

hostium duce: *i.e.* Athenio.

4. **ratio viaque.** These two terms are frequently found joined together in a sort of hendiadys: *ratio* = 'theory,' *via* = course, method, line (of defence, etc.). Cf. *de Orat.* i. 19, 87, *hanç ipsam dicendi rationem ac viam.* So Cic. *de Fin.* i. 9, 29, *ut ratione et via procedat oratio*: 'according to a scientific method.'

sit fur : a supposed concession of the opposite party—'granted that he be . . . ,' Roby § 1622.

at : introducing an emphatic retort (=ἀλλὰ), Roby § 2209.

2. summo iure : to the full extent of my rights. See **1.** 2. note.

certa lege : *i.e.* the *lex Cornelia de repetundis*, passed by Sulla B.C. 81. See Appendix.

5. **in Italia** : under Spartacus and Crixus. See **1.** 1. note.

ex eo bello. Roby § 1939.

Cn. Pompeio. Spartacus, besieged by Crassus in Rhegium, burst through the blockading lines, and made his way northwards. Crassus in alarm advised the senate to recall Pompeius from Spain, where he was engaged with the Sertorians, but meanwhile he himself followed Spartacus and defeated and slew him in an obstinate engagement in Lucania. Pompeius, however, arrived in time to cut off some stragglers, and secured at the hands of his partial countrymen all the honour of the victory.

obstitisti : the irony loses some of its force in face of a fragment of Sallust's History (iv. 31, Kritz) quoted by Halm and Richter: *C. Verres litora Italia propinqua firmavit.*

freto : Roby 1176. Cf. Livy xxii. 31, 7 : '*Ipse, per Siciliam pedibus profectus, freto in Italiam traiecit.*' 'Having traversed Sicily on foot, he crossed over by the straits into Italy.'

praesidia : 'coast-guards.'

6. **prope a Sicilia** : So 2 *Verr.* 28, 6, *prope ab domo*. *Pis.* 11 : *prope a meis aedibus sedebas.*

eodem intervallo : *i.e.* 'tam prope ab Italia.'

3. profertur : 'brought forward' as an argument : from which some verb (*e.g.* 'is it urged') must be supplied for the next clause.

imitandi belli : explanatory genitive. Cf. *de Fin.* iii. 14, 45, *crescendi accessio*, which Madvig explains as 'quae crescendo fit, noto genitivi usu, maximeque gerundii.' Roby § 1394 (*b*).

facultate : facultas=*facilitas parandi*, 'the means of acquiring'; thence it passes into the meaning of 'possession,' 'supply.' Cf. Caes. *B. G.* i. 38, 3, *omnium rerum, quae ad bellum usui erant, summa erat in eo oppido facultas* : 'there was in the town an unlimited supply of everything serviceable for war.' Cf. § 51 *infra.*

diiunctus : 'interrupted.' **clausus** : 'cut off.'

ad O. pervenire : *i.e.* it was easier for them to go by land to the shores of the Atlantic than to cross by sea to Sicily.

Peloridem : Peloris, also found in the forms *Pelorus* and Pelorum, was the north-east corner of Sicily (now Capo di Faro).

7. **iam antea bella fugitiv.** : see note to **1.** 1.

ut ne quis servus esset: '*ut ne* is used when a *precaution* or *restriction* is to be indicated, especially after *ita*' (for which we have here *eius modi*). Madv. 456, obs. 4. Cf. § 8, *ut ne quod bellum posset exsistere*, and § 52.

cum telo: Gaius says: 'the name *telum* is applied commonly to that which is discharged from a bow, but now signifies anything discharged from the hand.' Hence = any missile weapon, whether for war or for the chase.

vetus: 'an old story.'

L. Domitium: L. Domitius Ahenobarbus (No. 5 in *Dict. Biog.*) consul B.C. 94, was praetor in Sicily about the close of the second Servile war.

pastorem. These shepherds, who tended the flocks and herds in the mountains during the summer, were provided with arms for their own defence against the attacks of wild beasts, and the 'venabulum' used by the slave in question was probably only carried for this purpose. Varro, *R. R.* ii. 10, gives an interesting account of the life led by these shepherds.

qui percussisset: old abl. of quis = how? Cf. qui fit, ut . . Madv. 88, obs. 2.

in crucem subl. The punishment by impalement or crucifixion was only inflicted on slaves and the worst sort of criminals (cf. Juv. *Sat.* vi. 219, *Pone crucem servo.* Hor. *Sat.* i. 3, 80 foll.); hence the act of Verres in crucifying a Roman citizen was all the more flagrant. Cf. § 168.

videatur: hypothetical subj. with condition not expressed. Roby § 1536.

ullam in partem: 'I do not argue either one way or the other;' 'either for or against.'

dissolutum: 'lax.' Cf. § 104.

4. 8. **C. Norbanus.** As trib. plebis in B.C. 103 (not 95 as in *Dict. Biog.* See Momm. iii. p. 186 note), N. impeached Q. Servilius Caepio of 'maiestas' during his consulship in Gaul B.C. 106 and secured his condemnation. In B.C. 95 he was, however, himself impeached for the part he had taken in this prosecution, but was acquitted. He was defended on this occasion by M. Antonius, who gives an account of his defence in the *de Orat.* (ii. 48, 49; iii. 21, 25, 39, 40). He was praetor of Sicily B.C. 89, and consul B.C. 83. He espoused the Marian cause, but was defeated by Sulla and fled to Rhodes, where, on a demand being made by Sulla for his person, he committed suicide B.C. 82.

usu, re, r. c.: *usu* = personal intercourse; *re, ratione* = commercial

transactions (*ratio*=reckoning of accounts): *concordia*=general harmony, embracing both personal and business relations.

disciplina: strictness, discipline.

9. **consensiones**: 'conspiracies.' So *consentire* is used. Cf. Livy xxvii. 9 *fin.*: *Consensisse omnes ad prodendam Hannibali urbem Romanam*: 'all had conspired together to betray Rome to H.' Cf. § 18.

publice: *i.e.* in his official despatches to the Senate.

servitium: abs. for concrete. Cf. the use of '*mancipium*'=a slave obtained by purchase (Liv. xli. 6, *mancipia argento parata*); and '*remigium*'=a crew (Hor. *Ep.* i. 6, 63, and see note to § 145).

id adeo: (=τοῦτό γε) *adeo* is used with demonstratives and sometimes with relatives, like γέ, γοῦν in Grk., to emphasise their meaning. Cf. *pro Cluent.* xxix. 80.: *Id adeo sic cognoscite*; 2 *Verr. Id adeo, iudices, sic vos ex me cognoscite.* 'This much, at any rate. . .'

10. **Triocalino**: (sc. agro). Diodorus xxxvi. 7, 3 (as quoted by Halm) says Triocala got its name from possessing three natural advantages (τρία καλά) viz.: good water, great fertility, especially of the vine and olive, and natural strength rendering it almost impregnable. It was for this reason, no doubt, that Trypho used it as his headquarters during the second Servile war in Sicily. It was situated in the west of the island between Selinus and Heraclea.

familia: 'his household slaves.'

Lilybaeum: the headquarters of the praetor, where he held his court.

denuntiatum est: *i.e.* to appear before the court. Cf. below *cum denuntiavit ut adesset*: 'when he gave him notice to be present.'

5. **furtum**: **praedam**: *i.e.* on the part of Verres.

usque quaque: Roby § 2187.

tum potuit . . . esse ratio. The sense is, 'there were three opportunities open to Verres: he could either have demanded a sum of money from L. when he sent him notice to appear; or he could have proclaimed a suspension of judicial business (no new device for him) and so have got the case put off indefinitely; or thirdly, he could have procured the acquittal of the slaves. But when they had already been condemned what means had he of procuring a bribe?'

non nova: cf. 2 *Verr.* i. 120.

qui in consilio fuerunt: 'the members of the praetor's court.' Every provincial governor had a 'consilium' or board of assessors to assist him in his judicial decisions. See Ramsay, *Man. Antiq.* p. 188.

publicae tabulae : 'the public records' of the trial.

conventus : this word was applied to an association of Roman citizens dwelling in a province.

11. **sine aliquo quaestu** : 'without a profit' (indefinite): sine ullo q. would = 'without *some* profit (however small).' Cf. *de Off.* ii. 11, 40, sine ulla particula iustitiae, with Holden's note.

quod commodum est : 'that suits, pleases you.'

quam voltis : plur. of quam-vis, 'however wicked.'

domino : 'superfluous, and probably a gloss on "Triocalino illi."' —Richter-Eberhard.

denique : 'in fact.'

remitto : cf. § 22, *omnia tibi ista concedam et remittam* : 'all that I will readily grant you.'

persuadeatur, ut. For the use of an ut-clause where an infinitive might be looked for, cf. Madvig's exhaustive note, *de Fin.* ii. 3, 6, where he says that 'many *subject and object clauses* are of such a nature as to pass, by easy transition, into the form of consecutive sentences.' Cf. the use of *ut* after such phrases as *verisimile non est*; *qui probari potest*; *integrum est.* The difference between the two constructions is shown by Madvig l. c. : *Id optimum est, ut is nesciat* : where *ut . . . nesciat* = that he should not know; *eum . . . nescire* would = that he does not know.

6. 12. **cognoras** : cognosco, the technical term for 'learning by judicial investigation,' cf. causam cognoscere.

indemnatis : cf. the account of Gavius, c. **61** foll.

exitus exitiales : 'last closing scenes.'

13. **homines pop.** : **aut nob.** : 'men of the popular or aristocratic party,' *i.e.* these scenes occur at periods of revolution when one faction is for the moment triumphant over the other, and recovers its lost ascendency.

ut homines servos, etc. : an ut-clause expanding *hoc vero novum est.* The conjunction is repeated in the following clauses merely for emphasis. *Homines servos,* an emphatic antithesis to *homines populares, nobiles* above.

caput et sanguinem : 'life and limb.'

14. **Paullis, etc.** : '*a* Paullus, etc.,' *i.e.* L. Aemilius P., victor of Pydna, B.C. 168.

tantumne vidisse : an exclamatory infinitive of surprise with enclitic interrogative particle *ne*, and no subject expressed. Cf. Verg. *Aeneid*, i. 37 : Menc incepto desistere victam. Roby § 1358, Madvig § 399. 'What wonderful foresight he showed!'

suspensos : 'excited.'

'fecisse videri': the official declaration of the iudices, giving a guarded opinion. Cf. Cic. *Acad.* ii. 47, 146.

ignes: *i.e.* the '*laminae ardentes*' or red-hot plates, mentioned below § 163. Cf. Horace 1 *Ep.* xv. 36, *lamna candente.* Juv. *Sat.* xiv. 21, Uritur ardenti ferro.

sceleris coniurationisque: hendiadys, 'criminal conspiracy.'

ea facilitate: 'so complacent.'

vel ipso carn. internuntio: 'even at the mediation of the executioner.'

15. **magnae pecuniae**: with '*vilicus*.' The '*vilicus*' or steward was a slave entrusted with the entire superintendence of the 'villa rustica' and the other slaves there employed: a good and trustworthy *vilicus* was therefore worth a considerable sum of money. The ordinary price of a slave without special qualifications seems to have been about 500 drachmae (=£20) Hor. 2 *Sat.* vii. 43 though they sometimes fetched fancy prices (£800, or even double that amount), Mart. i. 59, iii. 62.

For the descriptive genitive, which is always qualified by an adjective (or numeral, pronoun, etc.), see Roby 1308, 9; Madv. 287.

nuper: when the witnesses gave their evidence after the delivery of Actio I.; see Introd. § 11.

L. Flavius: cf. § 155.

procurator: an 'agent,' 'factor' who looked after the estate during the owner's absence.

Cn. Lentulus: C. Cornelius Lentulus Clodianus (No. 24 *Dict. Biog.*), consul with L. Gellius, B.C. 72, defeated by Spartacus in the Servile war: censor 70: legate of Pompeius against the pirates, 67, 66. 'Dicit'—*i.e.* in his letters.

recenti negotio: at the time of the occurrence: so *recenti re* § 75.

curavit: *i.e.* he got other people to write to Verres in support of M's. character. For *mittendas*, Roby § 1401.

16. **de Apollonio**: 'the case of A.' 'as to A.' 'De' with its substantive is often so used absolutely: cf. Cic. *ad Fam.* ii. 17, 2: *de rationibus referendis non erat incommodnm te nullas referre*: 'as to the rendering of accounts, it was not inconvenient that you rendered none'; in *Pis.* 51: *de reditu Gabinii omittamus.*

clarius: 'more notorious.'

vocari: **citari.** The 'in ius vocatio' was the preliminary notice given to a defendant, corresponding to our 'serving of the writ': the 'de tribunali citatio' was the formal summons on the day of the trial to hear and answer the charges.

quod . . . maneret: for 'quod' with subjunctive='cur' cf. Hor.

2 *Ep.* i. 30, non est quod multa loquamur : 'there is no reason why we should speak at length.' Livy, xxxviii. 10 : mirante consule, quod morarentur. Integer, 'unassailed.'

17. **quem diceret** : for 'qui . . . esset, ut dicebat.' The verb of saying, instead of the thing said, is loosely put into the subj. (Roby § 1746). Cf. *de Off.* i. § 40 : quod *se oblitum nescio quid* diceret = quod oblitus esset *nescio quid*, ut dicebat : 'because he had forgotten something or other, as he said.'

in nominibus numeratam. Nomen, the *name* of a creditor entered in the ledger, was used for 'a debt' : hence 'in nominibus' = standing to one's credit,' 'owed to one.' Cf. 2 *Verr.* i. 10, *nomina exigere* = to collect debts : numeratam = lit. 'paid down,' 'ready cash.' Cf. *numeravit pecuniam* § 15, *supra.*

cum maxime : 'as soon as ever.'

8. 18. **constantiam** : 'consistency.'

qui, si . . . facerent . . . amitteret : 'who, if the slaves raised war, was likely to lose.' Cf. § 89 : quae (navis) si in praedonum pugna versaretur, urbis instar habere videretur. Roby § 1532, c.

nomine : 'pretext.' Cf. *pro Flac.* 12 § 27 : *Classis nomine pecuniam civitatibus imperatam queruntur,* 'They complain that money is levied from the states, on the pretext of the fleet.'

19. **si aliquid** : 'if *really* anything,' more definite than *si quid* below. Cf. *de Off.* i. § 155 : *nos ipsi quidquid ad rem publicam attulimus,* si aliquid *attulimus,* 'whatever we have contributed to the welfare of the state, *if anything.*'

tua iudicia sequar etc. : 'I will conform to your judgments : I will maintain your decisions, so long as you yourself are willing (to do so) ; 'auctoritas' = an authoritative decision serving as a precedent.

meo iure : cf. § 2, *supr.*

20. **non . . . ne . . . quidem** : Roby § 224 b.a.

9. 22. **quid sit defensurus** : so 4 *Verr.* xii. 28 : *haberes quod defenderes.*

fasces : **secures.** The praetors on foreign service were attended by six lictors with 'rods and axes' : when on duty in the city the number of lictors was two, who carried 'fasces' but not 'secures.'

quae cum dixerit . . ., quaeram : Roby § 1481.

de carcere : *de* for *ex* as often : cf. *de Orat.* ii. 263 : *de triclinio tuo exibis.* 2 *Verr.* 2, 30, 75 : *de sella exsiluit,* 'leapt from his seat.'

ad magnitudinem : for *ad* = 'in regard to,' used after adjectives, see Roby § 1827, Madv. 253, *obs.*

23. **aestimate pecunia**: *i.e.* calculate how much Apollonius had to disgorge to obtain his freedom.

reperietis etc.: 'you will find that these various devices had been adopted in dealing with one wealthy individual, for the purpose of holding out to the rest the terrors of similar misfortunes, and a warning example of the dangers to which they were liable,' *i.e.* by refusing, or, as in the case of Apollonius, by being unable, to obtain acquittal by means of a heavy bribe to the praetor.

statuite quanti hoc putetis etc.: 'determine at what value you reckon this, and how many you think paid quittance.'

inclusum supplicium atque . . . seclusum: a strange phrase for 'the punishment of being shut up and cut off from . . .'

24. **occurrere**: 'anticipate.'

sine causa quaestus: 'with no mercenary motive.' For the genitive, see Roby § 1304.

et non: 'and not rather.' *Et non* is used instead of *nec* 'where the negative belongs to a special word in the sentence, or where [as here] the new sentence is intended as a correction of the former.' —Roby § 2235.

10. 25. Cicero now passes on to show, by illustrating the wanton and luxurious life which Verres led, how little right he had to the 'laus imperatoria' to which he laid claim.

subici: 'to be supplied.'

summa illuc pertinet: 'the main point is this, that . . .'

Non ad Q. Maximi sapientiam . . . cognoscite: 'I pray you, become acquainted—not with a general to be compared with . . . —but with quite another class of general to be carefully kept and cherished.' For *non ad* = 'not to be compared with,' see Madv. on Cic. *de Fin.* iii. § 52: *de Orat.* ii. § 25: *nihil ad Persium.* The sentence is very loosely constructed.

Q. Maximi: *i.e.* Q. Fabius Maximus Cunctator: *sapientiam* refers to the policy of delay by which he endeavoured to weary out Hannibal. Cf. Verg. *Aen.* vi. 846: *unus qui nobis cunctando restituit rem*: 'who alone restored our fortunes by delay,' (borrowed from Ennius. Cf. *de Off.* i. § 84).

illius superioris Afr.: the elder Scipio, the victor of Zama, B.C. 202.

huius: the younger Scipio (Aemilianus) Africanus, the hero of Numantia, B.C. 132. His 'singulare consilium' was commended by Cato in the Homeric line: οἶος πέπνυται, τοὶ δὲ σκιαὶ ἀΐσσουσιν, = 'he only hath wisdom, others are but flitting shadows,' (*Od.* x. 495), Plut. *Cat. Mai.*, 27.

Paulli: L. Aemilius Paullus, surnamed Macedonicus for his victory at Pydna over Perseus, king of Macedonia, B.C. 168; rationem ac disciplinam: 'method and art,' 'tactics.'

26. **fluminum.** 'The violent rains that deluge the island at this period of the year swell the rivers, damage the roads, and set the Fiumare running: these are torrents, occasioned by the waters descending from the mountains into deep ravines . . . The boisterous force of the Fiumare while flowing, the badness of the roads and the want of bridges, render travelling in the winter dangerous and at times wholly impracticable.'—(Smyth's *Sicily*, p. 7.)

continebatur: 'consisted of'; some MSS. give 'conterebatur.'

27. **Favonio.** The blowing of the west wind, Favonius or Zephyrus, was the sign that spring had commenced. Cf. Hor. *Od.* i. 4: *Solvitur acris hiemps grata vice veris et Favoni.* Halm quotes Varro *R. R.* i. 28: *primus dies est veris in Aquario.*

cum coeperat . . . dabat, cum viderat . . . arbitrabatur: Roby § 1717.

rosam: the latest blooming flower of spring. Cf. Hor. *Od.* i. 38: *rosa quo locorum* sera *moretur*, 'where the late rose lingers.'

11. lectica octaphoro: 'a litter with eight bearers.' These *lecticae* were introduced into Rome from the east. At first they were only used by sick persons or on a journey, and it was regarded as a sign of effeminacy for a man to use them in the city; subsequently however they came into more general use, and were furnished in most luxurious style with curtains and cushions (Juv. *Sat.* i. 159). The number of bearers varied. Juv. *Sat.* i. 64 mentions one borne by six slaves. Cf. also Juv. *Sat.* iii. 242: *clausa lectica fenestra*; and for a general description Becker's *Gallus*, p. 341 foll.

Melitensis: of fine Maltese linen. Cf. 2 *Verr.* 2, 72, 176: *vestem Melitensem*; 74, 183: *Melitensia.*

maculis: 'meshes.'

iura discripserat: 'dispense justice to *each* applicant.' Cf. *de Off.* i. 124, *iura discribere*; *Cat.* i. 4, 9: *discripsisti urbis partes ad incendia*: 'allotted the various quarters of the city, to be set on fire.'

28. **in quibus consistere**, etc. From 2 *Verr.* 2, § 63, it appears that Sicily was divided into four districts for judicial business. The praetor went round 'on circuit' once a year, stopping (*consistere*) and holding assemblies (*conventus agere*) at the chief town of each district in turn. The four towns were Syracuse, Agrigentum, Panhormus, and Lilybaeum.

conventum agere. Cf. *forum*, *iudicium*, *coetus agere.*

ad tempus: 'at the right time,' *i.e.* at an appointed hour. Cf. Livy xxxviii. 25: cum consul *ad tempus* venisset: so *ante tempus*, 'before the right time, prematurely.' Cic. *de Am.* 3, 11: *factus est consul bis, primum* ante tempus, *iterum sibi* suo tempore.

quae in poculis ponebantur: *i.e.* the rules and regulations as to the strength and quantity of the wine drunk, the number of toasts to be honoured, and all other details of the feast. These rules were settled by a 'master of the revels,' *arbiter bibendi*, elected by lot before the feast began; cf. Hor. *Od.* ii. 7, 25: *quem Venus* (=the highest throw with the dice) *arbitrum dicet bibendi*: *Od.* i. 4, 18: *nec regna vini sortiere talis*: 'nor wilt thou with the dice obtain the lordship of the revels.' See Becker's *Gallus*, pp. 126-7.

pugnam Can. Perhaps 'shambles' is the nearest English equivalent to this metaphor, which Cicero uses elsewhere somewhat differently to describe the Sullan proscriptions. *Rosc. Am.* 32 § 89: *te pugna Cannensis accusatorem sat bonum fecit.*

12. 29. **servitii.** See note to § 9.

offendit. Madvig thinks the whole passage from *quod et familiae* . . . *non impedit* refers to the slaves, and gives the various reasons why they should be incited to insurrection at this period of the year; the slave-gangs were collected together and they could see their numerical strength: their labours in the harvest field were most toilsome and would render them more prone to revolt: they would have a supply of corn ready for their forces: and the season of the year was propitious for a campaign. The appearance of the praetor would do much to remind the slaves of the powerful city they would have to contend with, and his mere presence might check an incipient revolt. Halm also takes the passage in this way, but Long finds some difficulty in accepting Madvig's interpretation, and thinks that '*frumenti . . . impedit*' refers to the praetor, though in what way he does not make quite clear. He also questions Madvig's explanation of '*labor . . . offendit*,' but says it is difficult to suggest the real meaning. Madvig's interpretation appears the more natural and intelligible, even though some of the supposed inducements to rebellion may, on a too close and hypercritical examination, appear insufficient.

For *offendit*='irritates,' 'is irksome to,' cf. *ad Fam.* i. 7, 7: *at eos splendor offendat.*

concursant: 'make their circuit.'

novo quodam genere: 'a really new kind.' Cf. Wilkins on *de Orat.* i. 3, 12: *quidam* following an adjective may be used either to *limit* or to *heighten*: *e.g.* l. c. *communi quodam*=*to a certain extent*

universal, but § 14, *incredibili quodam* = a *really* incredible. Cf. § 188 : *nefario quodam furore* : 'with a madness amounting to crime.'

30. **ubi primum**, etc.: 'where the bay begins to curve in towards the city.' The precise locality is more specifically mentioned in § 80, *in litore, quod est litus in Insula Syracusis post Arethusae fontem*, where Insula = Ortygia, an island between the Greater and Lesser Harbours, connected with the mainland, and containing a part of the town of Syracuse.

quae regis Hieronis fuit. Cf. iv. § 118 : *in qua* (*Insula*) *domus est, quae Hieronis regis fuit, qua praetores uti solent.* Hiero was tyrant of Syracuse 478-467 B.C.

filius. In § 81 he is alluded to as *praetextatus*, *i.e.* still with the *toga praetexta*, or boy's toga ; and in iii. § 159 he is called *grandis*, tall for his years : from these three passages we may infer that he was not far off 17. Cf. Ramsay, *Man. Antiq.* p. 422.

si . . . abriperet . . . cogeret. See note to § 18, *si facerent.*

patris. Cf. iii. 68 *fin.*, Roby §§ 1314, 1317. Madvig on Cic. *de Fin.* v. 5, says : Cicero uses the *genitive* with *similis*, when the object is a living being (especially a god or man), far more frequently than the *dative* : the cases in which the dative occurs being so rare by comparison as to give rise to doubt whether the text should not be altered. Where the object is a *thing*, he uses either case indiscriminately. Of later writers, Livy prefers the genitive, and the Augustan poets (Vergil, Horace, etc.) almost universally employ the dative whether the object be a person or thing. The personal pronoun however is *always* in the genitive. Cf. § 55 *n.*

31. **[ab Rhodio tibicine]** bracketed by Halm as unsuitable to the participle *per*ducta, and a probable gloss taken from iii. 78 : *Tertiam vi abductam ab R. tibicine.*

turbas : 'bickerings,' 'quarrelling.'

mimi : for the *mimi* (the same name is given both to the plays and the actors), see Momm. iv. pp. 579, 580.

iste Hannibal. This is supposed to be a reference to a line of Ennius (quoted by Cicero *pro Balbo* c. 22 *fin.*) in which he makes Hannibal say: *hostem qui feriet mihi erit Karthaginiensis Quisquis erit* : 'he who shall smite the foe, shall be a Carthaginian to me, whosoever he be.'

13. talarique tunica. The tunic 'extending to the ankles' with long sleeves (*manicata*) was regarded as very effeminate and foppish. It was not a Roman costume but was introduced from Greece. Cf. Cic. *Cat.* ii. 10. Hor. *Sat.* i. 2, 25 : *Maltinus tunicis* demissis

('flowing') *ambulat.* The wearing, too, of the 'pallium' or Greek cloak instead of the characteristic 'toga' was a sign of effeminacy in a Roman of this period. See § 86.

non ius dici, non iudicia fieri: 'no judgments were given, no trials held,' a comprehensive phrase expressing that the whole machinery of the law was at a standstill. *Ius* refers more particularly to civil suits, *iudicia* to criminal trials, for which we have below *causarum atque iuris.*

Ius dicere was the technical phrase by which the praetor was said to deliver judicial decisions by virtue of his authority (iurisdictio). In civil suits the praetor, after holding a preliminary investigation, usually appointed a *iudex* to hear the case: all proceedings before the praetor were called proceedings *in iure*, and those before the *iudex* were termed *in iudicio.*

32. **defendis**: 'maintain.' Cf. § 151: *si etiam id quod defendit velim concedere*: 'even if I am willing to allow what he maintains.'

dicendi ratio: 'oratorical style.'

auctoritas: 'precedent.' Cf. § 19 (note): *tuam defendam auctoritatem.*

ex mulierum morsu. Cf. with this passage § 3 *fin.*

33. **aera**: 'campaigns' = stipendia.

in stipendiis—in imperio: as a subordinate—as a commander.

abduci: *i.e.* willingly, ut meretrix; perduci = ad amatorem a lenone vi auferri.

frequens: aere dirutus. These are military terms: *frequens* is applied to a soldier who is always at his post: *aere dirutus* to one whose pay is stopped for any misdemeanour. The meaning is that though Verres was always at his post at the mimic warfare of the gaming tables, yet he lost his money, as if he were a defaulter.

damna: *i.e.* his gambling losses, 'which were paid up and made good by the profits he made out of his youth' (aetatis fructu).

iam vero, cum, etc. The general sense is: he grew hardened and inured to this sort of vice by satisfying the lusts of others; why then need I say how many strongholds of chastity he assailed; why link others' shame with his enormities?

rusticanus: 'peasant': distinguish from *rusticus* = boorish, unlettered, clownish.

L. Lucullo, M. Cotta: Coss. B.C. 74, when Verres was praetor at Rome.

municipio. For the legal relation of 'municipes' to Rome see Ramsay, *Man. Antiq.* p. 91.

vadimonii causa: 'to answer to his bail.' *Vadimonium* was the

general term applied to the 'security' given by the defendant to the plaintiff that he would appear before the praetor (*in iure*) on a fixed day. See Ramsay, *Man. Antiq.* p. 281.

iura omnia pr. urb. : 'all the judicial decisions of the city praetor.' Equivalent, as Long says, to 'omne ius praetorium,' for which see Ramsay, *Man. Antiq.* p. 243.

paludatus : clad in the 'paludamentum,' the distinctive cloak of the commander-in-chief. *Vota nuncupare* : a consul or praetor before proceeding to a province offered in the capitol solemn vows to the gods to be performed in case of safe and successful return : cf. Livy, xli. 10.

contra auspicia : because, as soon as the imperator re-entered the city, he thereby divested himself of the 'imperium,' and the *auspicia* would have to be taken anew.

14. Ita mihi . . . arbitrarer. 'May your esteem and that of R. people fulfil my hopes as truly as I have received all the offices . . . in such a spirit as to deem myself . . .' Cf. Madv. 444 a. obs. 3, and Roby § 1707 f., and passages there quoted ; and add *Cat.* iv. 11 : *ita mihi salva republica vobiscum perfrui liceat, ut ego non atrocitate animi moreor* : 'as truly as I am moved by no personal animosity, so may I be allowed to enjoy with you the security of the state.'

non solum datum : 'not merely as a gift, but as a trust committed to my care.'

quaestor : see Introd. § 8. Cf. *pro Plancio* c. 26, where C. amusingly describes the exalted notions he had of his own value as quaestor.

his : *i.e.* such as we see every day, 'the ordinary irregular desires' ; for this use of 'hic' cf. *pro Mur.* §§ 3, 24.

36. This section gives a succinct account of the duties and prerogatives of the 'aedilis curulis.' By virtue of his office he was (i) curator urbis ; (ii) curator ludorum sollemnium ; (iii) curator annonae. The last of these functions, the superintendence of the markets, is not here expressly mentioned by C. : (i) included the supervision of the public and private buildings of the city, as well as the preservation of peace and order, and all police arrangements (*sacrarum aedium procurationem . . . totam urbem tuendam*) ; (ii) the general management and regulation of the national games.

Cereri, L. L. The 'Cerealia' commenced on April 12, the 'Floralia' on the 28th, lasting till the end of the month. The 'ludi Romani, or Magni,' were the oldest of the Roman festivals, instituted by Romulus and reconstructed by Tarquinius Priscus. They took

place in the Circus Maximus, and were therefore often called 'ludi Circenses.' They began on September 4, and included all kinds of gymnastic contests; they were held in honour of Jupiter, Juno and Minerva, the three divinities who had shrines in the Capitol. Cf. Livy i. 35 fin.; Ramsay, *Man. Antiq.* pp. 346 foll.

populo plebique: originally *populus* meant the patricians and the *clientes* only; while *plebs* was used of the subjugated populations of conquered towns imported to Rome, who had no share in political rights and privileges. The phrase 'populus et plebs,' however, was kept to designate the whole body of Roman citizens long after the two classes had ceased to be politically distinct.

fructus illos: 'the *following* returns for my toil and anxiety.' Madv. 485 b.

antiquiorem = superiorem. 'A certain rule of precedence' in giving one's opinion on any subject before the Senate 'was followed. If the elections for the following year were over, the Consuls elect were called upon first, then the Princeps Senatus, then those who had held the office of consul, and so on through the inferior offices... Considerable importance was attached to the privilege of speaking early.'—Ramsay, *Man. Antiq.* p. 219.

ius imaginis . . . prodendae: 'the right of handing down to posterity a cast of my features.' These casts were made of wax and kept as family heirlooms in the 'atrium,' or hall of the house. Cf. Juv. viii. 19: *Tota licet veteres exornent undique* cerae *Atria*, 'Though the whole atrium be decked on all sides with ancient waxen-casts.'

37. **ita . . . velim**: cf. § 35 note. 'So may the gods be gracious to me!' The corresponding ut-clause is here to be supplied from the context. Cf. *Verr. in Caecil. Div.* § 41, where the full form occurs: *ita mihi deos velim propitios, ut . . . non modo commoveor . . . sed etiam . . . perhorresco.*

recte collocata . . . in loco posita esse: 'rightly bestowed . . . suitably placed': *loco = suo loco*, 'its proper place.'

15. 38. **renuntiatus**: *renuntio* was the technical term for the official publication of the result of an election.

quoquo modo: see Introd. § 7. In 4 *Verr.* § 45 Cicero is more outspoken on this point.

non ipsa pr. voce . . . ut putares? 'were you not roused even by the voice of the crier into thinking that? . . .'

totiens: viz. until a majority of the 'centuries' had voted in favour of V. The result of each 'century's' vote was proclaimed by the herald, and as there were 193 centuries the name of Verres

would be proclaimed at least 97 times. The division of the Roman people into 'centuries' was introduced by Servius Tullius (578-535 B.C.). The whole of the Roman burgesses were divided into five 'classes' in proportion to their fortune, each 'classis' containing a certain number of 'centuriae' of 'seniores,' *i.e.* men over 46 years of age, and of 'iuniores,' between 17 and 46. Besides these there were 18 centuries of knights (*equites*), making in all 193 centuries, which together formed the 'Comitia Centuriata,' the most important of the Roman constitutional assemblies. The duties of the Comitia were (i) election of magistrates; (ii) enactment or repeal of laws; (iii) hearing of criminal cases affecting the life or liberty of a citizen.

ius diceres: the 'iuris dictio *inter cives*' was the technical phrase for the functions of the 'praetor urbanus.'

illud rationis. Roby § 1296.

39. **provincia**: *i.e.* the provincial praetorship in Sicily.

fasces ac secures. See § 22.

ut, omnibus cum teneare rebus . . .: 'convicted on all points, you take refuge in . . .' For *teneare* cf. *Cat.* ii. 6, 13: *Cum haesitaret, cum teneretur, quaesivi . . .*

Tempsanum incommodum: 'the misfortune at Tempsa.' The incident referred to is not further known. Tempsa was in Bruttium on the Terinaean gulf; Verres returned to R. at the close of the Slave war: so that we may infer from the context that the town was besieged by the remnant of Spartacus' army.

recens: 'as soon as it occurred.' Cf. *recenti negotio*, § 15; *recenti re*, § 75.

16. 40. **Valentini**: the inhabitants of Vibo Valentia, a 'municipium' a little south of Tempsa.

cum tunica pulla et pallio. The *vestis pulla* or tunic of dark-grey wool was the dress of slaves and the lower orders: the *pallium* was a Greek cloak. Verres' proper official dress, as praetor, was the stately *toga praetexta*, or purple-bordered robe.

proficiscentem: *i.e.* in provinciam.

qui . . . capiebat: 'who, at the very time he was leaving his province, not to enjoy a triumph but to stand a trial, did not even avoid a disgrace which he incurred without any compensating pleasure.' 'Infamiam' refers to his undignified way of receiving the Valentini.

41. **divina**: 'inspired.'

aede B. The temple of Bellona was built in fulfilment of the vow of Appius Claudius during the Samnite war, 296 B.C.; it stood in

the Campus Martius outside the city gates. The senate here gave audience to such foreign embassies as were not allowed to enter the city; and also decided the claims of victorious generals who demanded a triumph for their victories, but could not enter the city while still under arms.

principes: sc. **senatus**, *i.e.* those who had the right of speaking first in the senate. Cf. note to § 36; so *Cat.* ii. 6, 12.

tabella. Each juryman was provided with a wooden tablet (tabella) covered with wax on which to record his verdict, by inscribing thereon either A. (*absolvo*), or C. (*condemno*), or N. L. (*non liquet*=not proven).

17. 42. **Esto**: 'Well, then,' summing up the results of previous arguments. C. now passes on to the second division of the speech; see Introd. § 12.

at vero: 'yet, on the other hand.'

diligentiamque . . . singularem: 'and displayed unusual activity in that matter.' *Adhibuit* to be supplied from *habuit* (Halm, who quotes *de Am.* 89: *omnis hac in re habenda ratio et diligentia est*).

itaque: 'and in this respect,' 'and so far.'

maiestatis: 'treason'; 'minutae' is to be supplied. *Crimen m. m.* signified any act by a Roman citizen by which the dignity of the state was impaired.

43. **nomine**: see note to § 18.

44. **sumptu pub.**: 'at the public expense'; *tuo nomine*: 'in your name,' *i.e.* 'for you'; *publice*, 'by order of the state,' 'on commission from the state': though perhaps either *sumptu pub.* or *publice* is a gloss, and one should be omitted.

magistratum: 'the chief magistrate,' 'mayor.'

Velia: on the west coast of Lucania.

prospectare: 'descry afar off,' *explorare fugam*: 'seek a way of escape.'

18. 45. **necesse est**: in order, that is, to prove that you were not guilty of 'res repetundae.'

istae legis. The 'lex Claudia de senatoribus,' B.C. 218, is thus quoted by Livy xxi. 63: *ne quis senator, cuive senatorius pater fuisset, maritimam navem, quae plus quam trecentarum amphorarum* (cubic feet) *esset, haberet*: 'Let no senator, nor one whose father has been a senator, possess a vessel of more than 300 cubic feet capacity.' Vessels of this capacity, he adds, were considered sufficient for carrying agricultural produce; whereas *trade* of all kinds was thought degrading to a senator.

quid enim tibi navi: sc. *opus est*.

te habere nihil licet: 'it is not lawful that you should hold property;' for the construction cf. § 84: *Syracusanum in ea parte habitare non licet*, 'it is not lawful for a Syracusan to dwell in that quarter,' and Roby II., pref. xxiii. Some MSS. read *tibi* for *te*,—unnecessarily, as the dative is easily understood. Cf. *non licet me uti*, § 154.

46. **deinde**: 'again,' 'further.'

celeberrimo: 'crowded,' 'frequented.'

navicularIam facere: 'to start a shipping business.' So *facere argentariam*, a silversmith's business, § 155; *topiariam*, ornamental gardening.

onerariam: a transport-ship, a vessel of greater capacity than the 300 *amphorae* mentioned by Livy *l.c.* as sufficient *ad fructus ex agris vectandos*.

commearet: 'go backwards and forwards.'

47. **priore actione**: see Introd. § 11.

Mamertini: the inhabitants of Messana, a town which Verres used as a depôt for his plunder and a retreat for himself (§ 59); in return for which he treated the inhabitants with more forbearance than usual.

Reginis: Rhegium in Bruttium, opposite Messana. *Publice*, *i.e.* 'as a state contribution,' 'for this you made requisition on the state of Rhegium.'

19. 48. **in tabulis**: 'in their ledgers,' *i.e.* there is no entry to this effect in their public account books: *aerario*, 'public chest.'

publice coactis: Livy i. 56.

multas . . . perscriptas: 'that many sums of money, which had been paid to the defendant, had been entered under the head of false and bogus building contracts.' For *erogare* = to pay money out of the public chest, cf. Livy i. 20: *in eos sumptus pecunia erogaretur*.

capiti: 'his political existence,' because, if found guilty, he would be liable to 'capitis deminutio,' or loss of all civil rights and liberty.

scriptum = *in tabulis* above: 'written entry.'

locaris: 'contracted for,' as often: cf. *locationes* above.

49. **foederati**: the communities of Sicily stood in various relations to Rome. There were:—

(i) *Civitates foederatae*, regulated by special and distinct treaties with Rome. These were Messana, Tauromenium, and Netum.

(ii) *Civitates liberae ac immunes*, which paid no tax: they were

five in number, viz.: Centuripae, Segesta, Panhormus, Alesa, Halicyae.

(iii) 34 *Civitates decumanae*, paying a 'tithe' of their field produce; and

(iv) 'a very few communities subdued by arms,' (2 *Verr.* 3, 6), whose territory became 'ager publicus,' but was restored subject to payment of certain dues, which were farmed out by the censors (*censoria locatio*).

in fetialium manibus educatum: 'brought up under the care of the fetials.' The 'fetiales' were a college of priests who had special charge of all matters connected with treaties, declarations of war, etc. *Di adprobent*, 'heaven's blessing on him!'

in publicis religionibus etc.: 'scrupulous and exact in fulfilling the obligations of public treaties.'

dedantur: any Roman who violated a treaty entered into with a foreign state was summarily handed over (*deditio per fetiales*) to the offended people to be dealt with as they thought fit; an act which was supposed to free the general community from any retribution for such violation, *ut religione solvatur civitas.* Cic. *pro Caec.* 34, 98. Cf. *de Orat.* i. 40, 181.

50. **cautum et exceptum**: 'an express stipulation and exemption was made.'

20. **ius foederis**: **imperii condicionem**: *ius* here combines the 'rights' given to Rome, and the 'duties' imposed on Messana, by the treaty: 'the obligations of the treaty.' Cf. *ius imperii* above. *Condicionem imperii* = the terms and conditions on which they were ruled by Rome: 'the terms of their federal alliance.' Cf. *condicio sociorum* above.

51. **recentibus suis officiis**: alluding probably to the act of the Mamertines in joining Rome before the First Punic War, 264 B.C.

integra re: 'when the question was still open,' *i.e.* before any treaty had been entered into. Cf. Cic. *Cat.* iv. 3, 6: *Sed institui referre ad vos, P.C., tanquam* integrum, *de facto quid iudicetis*, 'I have determined to refer the matter to your judgment, senators, as an open question.'

usurpatum: 'grown familiar,' 'become common by constant use.' Cf. *Cat.* iv. 4, 7: *hoc genus poenae hac republica usurpatum. Usurpare* commonly contains the idea of habitual practice: *e.g. de Off.* ii. 11, 40: *C. Laelius, is qui sapiens usurpatur*, 'constantly goes by the name of . . .'; ii. 15, 55: *id, quod a nostris hominibus saepissime usurpatum, iam in proverbii consuetudinem venit*: 'the ex-

pression, which has been frequently employed by our countrymen, has now passed into a familiar proverb.'

difficultate: 'want,' 'scarcity': the opposite of '*facultate navium*,' which we have in § 6, *supra*.

21. 52. ex lege Terentia et Cassia. This law was brought forward, at the suggestion of the senate, by the consuls for B.C. 73. It restored to the people the privilege of distribution of corn at a nominal price, granted to them by a corn-law of C. Gracchus, 123 B.C., but of which Sulla had deprived them in 82. It further laid upon the provinces the duty of supplying corn at a fixed sum. From Cic. 2 *Verr.* 3, c. 70, it appears that there were two modes of purchasing corn from the provinces (*duo genera emendi fuerunt*): (i) The *civitates decumanae* had to supply *decumae*, or 'tenths' of their produce (in addition to their original impost), for which the state paid at the rate of 3 sesterces a bushel; (ii) a further amount of 800,000 bushels was levied proportionally on all the Sicilian states (*quod civitatibus aequaliter esset distributum*), for which the senate paid at the rate of $3\frac{1}{2}$ sest. a bushel. The *decumanae civitates* were therefore liable for both (i) and (ii); the Mamertines, being *immunes*, were liable only for (ii) *quod emeretur*, but not for (i) *quod exigeretur*.

an ut ne venderent? 'You say the M. were not liable for corn. How not liable? Do you mean they were not bound to sell?' For *ut ne* see note § 7, *ut ne quis servus esset*. The sentence is elliptical for '*dicis* ita *non debere* ut ne *venderent?*'

foro et commeatu: 'market and supplies.'

53. publicos agros: see note to § 49. The 'tithes' that the tenants of these lands (*aratores*) had to pay were 'farmed out' by the censors.

singulas decumas: *i.e.* the original 'tithes' which they would naturally supply as 'decumanae,' as distinct from the additional quota levied on them, for which they received payment from the senate (*alterae decumae*).

ex lege Hieronica: *i.e.* as fixed by Hiero II.: they remained unaltered when Hiero's kingdom passed into the hands of Rome.

frumenti empti: *i.e.* their portion of the 800,000 modii levied on the whole of Sicily; (ii) in note to § 52.

certe: C.'s argument is, if the Mamertines, as you say, were not liable for 'frumentum emptum,' then none of the other states were; and the '*immunes*,' who were not even liable to the 'tithes' (*quod exigeretur*), were surely exempt altogether; and yet you not only demanded from them their regular quota of corn but even made

them provide, over and above that, the amount you had remitted to the Mamertines.

superiores omnes: *sc.* praetores.

pecuniam . . . ex lege: that is, the legal 3½ sest. per bushel.

trabali clavo. Cf. Hor. *Odes* i. 35, 18. Cf. our metaphor 'to clinch.'

commentario: 'note-book,' 'minute-book.'

D. C. S. = de consilii sententia.

55. **auctores**: 'guarantors' for the strict observance of the treaties.

pro portione: 'proportionately' = *aequabiliter* above.

consilium iste dedit: 'until the defendant appointed this select and worthy board of arbitrators, in order that he might receive money from the Mamertines and act consistently with his character.' *Consilium* is the board appointed by Verres to decide whether the M. were liable for the *frumentum emptum*. For *consilium dare* in this sense compare the phrase *iudices dare* used of a praetor (see § 13, note to *ius dici*), and especially Cic. *pro Flacc.* 35, 88: *in Lurconis libertum* iudicium *ex edicto* dedit. For *sui similis* see note to *patris* § 30.

ex: 'in accordance with the written regulations' (*institutis ac litteris*).

C. Sacerdos and Sex. Peducaeus were pro-praetors of Sicily, immediately before Verres, in B.C. 74 and 75 respectively.

malo auctore: 'from one who had no right to sell.' *auctor* was, in legal phrase, the seller who *guaranteed* the title to the article sold. See *pro Mur.* c. 2.

22. 56. **Tauromentinis, Netinis.** Tauromenium and Netum were the other *civitates immunes ac liberae.* See § 49 note.

causam foederis: 'their case as regards their treaty.'

inconstantia: 'inconsistency'; cf. 'constantiam,' § 18.

id esse actum ut . . .: 'that the object aimed at was . . .'

bene . . . collocasse: 'they had well invested with the defendant their numerous and costly gifts' (in money and in kind).

idem: with *iuris.*

57. **volnera**: 'weak points.'

ut. This is explained by most of the commentators as an 'anacoluthon'; Cicero meant to finish the sentence with a *sic* clause, but gave a different turn to the thought: 'as in trials it is more honourable . . . so . . .' Halm fills up the anacoluthon thus: *sic tibi honestius fuit laudatione carere.*

laudatores: a legal term for witnesses called in support of a

man's character. From this passage it would appear that ten was the number established by custom, though not legally required (*quasi legitimum*).

hoc quid est . . . carendum : 'what does this mean, except that you understood what advantage there was in reliable testimony to your character, but that nevertheless your government of the province had been such that you had, perforce, to go without this advantage?'

58. **tam bono iure** : 'with such privileges.' Thus *civis optimo iure* = one who enjoyed the fullest privileges of Roman citizenship.

For the difference between 'coloniae' and 'municipia' see Ramsay, *Man. Antiq.* p. 88 foll. The distinction however had now practically ceased to exist since the citizenship had been extended to the whole of Italy after the Social War (B.C. 90, 89).

23. 59. **impetraretur** = *impetrari debebat*, as *permoverem* § 150, *commoverentur* § 171 (Halm).

reddita : 'given as their due'; *donata* : 'bestowed as a gift.'

24. 60. **frumento** : for the dative, Roby § 1156.

etiam in sociorum et Lat. stipendio. 'As Latium and the rest of Italy were gradually subjugated, the different states received into alliance became bound to furnish, when called upon, a contingent of soldiers, horse and foot. . . . These were designated *Socii nomenque Latinum*, or simply *Socii*, and were clothed, equipped and paid by the communities to which they belonged.'—Ramsay, *Man. Antiq.* p. 378. *Stipendio* refers to the pay, and *sumptu* to the cost of maintenance, of the soldiers.

tum cum : *i.e.* before the Social War (B.C. 90), after which they became eligible for Roman citizenship and service in the regular legions; whereas, before, they served as separate troops.

61. **tantam difficultatem** : 'why you took upon yourself so difficult and troublesome a duty which rendered you liable to suspicion and accusation.'

quaestus : 'means of gain.'

25. 62. **discribere.** Cf. note to § 27, *iura discripsit.*

sescenos nummos *i.e.* **sertertios** : about £5.

commeatum totius aestatis : 'exemption for the whole summer,' commeatus = lit. 'leave of absence,' 'furlough.'

abstulerat : lit. 'carried away with him,' 'got off with.' Cf. the similar Greek phrase ᾤχετο λαβών.

nomine : 'nominally'; *re quidem vera* : 'but really,' 'actually.'

P. Caesetius et P. Tadius. The 'quaestor' and 'legatus' respectively of Verres : see 4 *Verr.* 146 and 2 *Verr.* 49.

non ceperunt sed abd.: 'I will not say captured, but towed away.'

captam: 'hampered.' Cf. *oculis*, *mente* captus, etc., *Cat.* iii. c. 9.

argenti facti atque signati: 'plate and money.'

stragula vestis: 'coverlets made of fine and costly materials.' Cf. Hor. *Sat.* ii. 3, 118.

Megaridem: *i.e.* Megara Hyblaea, north of Syracuse.

mulierculis: contemptuous diminutive. Cf. '*homunculus*,' '*Graeculus*,' '*sermunculus*,' '*oratiuncula*.'

64. **cohorti**: 'his retinue.'

cuidam amico suo: 'to a friend of his.' So 4, § 38, *apud quendam propinquum suum*: 'with some relative of his'; the genitive also occurs after quidem, *e.g.* ii. § 54, *cuidam amicorum suorum.*

sic habent: 'are convinced of this.' This phrase is of frequent occurrence, especially in the imperative forms, *sic habeto*, *sic habeas*; cf. *ad Fam.* ii. 10, 1, *sic habeto, nullam me epistolam accepisse tuam*: 'be assured that I have received no letter of yours.'

quid eius sit: 'what there is in it,' *i.e.* 'how much truth there is.' For the genitive see Roby §§ 1296, 1299, and cf. *de Fin.* i. 27. Halm aptly quotes Plaut. *Aulul.* iv. 10, 72: *ibo intro, ut quid huius rei sit sciam*: 'I will go within that I may know what there is in this,' Madv. 285 b.

26. 65. **tanto conventu**: *i.e.* of Roman citizens. Cf. § 10 note.

maritimi: *i.e.* dwelling on the coast)(*mediterranei*, applied in § 70 to the island Centuripini.

66. **P. Servilius**: P. Servilius Vatia (Cons. 79) was sent in B.C. 78 as pro-consul to Cilicia to exterminate the pirates who infested those coasts. He succeeded in repressing them for a time at least, and then proceeded to attack the robber-tribes of Cilicia in their fortress of Isaura. As a recognition of his services here he obtained the surname *Isauricus*. He was one of the judges at the trial of Verres, and was a staunch friend of Cicero, whose recall from banishment he helped to obtain B.C. 57.

67. **auctorem**: 'authority,' *i.e.* one who by his example has established a precedent (*exemplum*) for an act. Cf. *auctoritas*, § 19, *auctor*, § 55.

quo? 'to what end?' **quem** = ut eum.

27. 68. **lautumias Syr.**: 'the stone-quarries of S.' Cf. § 143: *carcer ille, qui est a crudelissimo tyranno Dionysio factus Syracusis, quae* lautumiae *vocantur.* These were hewn out of the steep and rocky declivities of Epipolae to the north of the town, and served as a public prison. They were entirely without any kind of roofing, which left the prisoners exposed to all weather; Thucydides gives

a vivid description of the hardships endured by the Athenians entombed there after the failure of the Sicilian expedition (Thuc. vii. 87). Cf. also Plaut. *Cap.* iii. 5, 63-68. The largest of these quarries now belongs to a Capuchin convent, and is laid out in romantic gardens of luxurious fertility (Smyth's *Sicily*, p. 168).

tutum ad custodiam: cf. Thuc. vii. 86, ἀσφαλεστάτην εἶναι νομίσαντες τὴν τήρησιν: '(The Syracusans put the Athenian prisoners into the quarries) thinking that they were a most secure place of confinement.' For *ad* see note to § 22, *ad magnitudinem.*

imperantur: so Horace uses *imperor* (*Ep.* i. 5, 21) passively; a rare use.

69. **subditivum**: 'supposititious,' 'counterfeit' = *suppositus* of § 70,)(*verus*, the *real*, pirate chief, whom Verres had liberated for a sum of money.

denique: 'in a word,' as often.

quo?—'Lilybaeum fortasse': an imaginary dialogue between Cicero and one of his hearers. 'He despatches the fellow—whither?' 'To Lilybaeum, perhaps?' 'I see; (you mean) he is not altogether afraid of a maritime folk, notwithstanding! No, iudices, certainly not to Lilybaeum.' 'To Panhormus then?' *Tamen* implies, though he was afraid to keep the man at Syracuse for fear of recognition, yet he did not hesitate to send him to Lilybaeum, to the other end of the island.

si minus . . . at: 'if not . . . at any rate.' Cf. § 82.

70. **summos aratores**: 'the chief of agriculturists'; *aratores* = simply *agricolas* (as in § 99).

Apronium: a boon-companion of Verres, mentioned in iii. 23 as 'an illimitable torrent of vice and iniquity,' chosen by Verres 'as his chief instrument in harassing and plundering the farmers'; which will explain 'terrestrem archipiratam.'

adhiberetur: 'received,' 'entertained.' Cf. Cic. *Q. Fr.* i. 5: *quos ego universos adhiberi liberaliter dico oportere*: 'who I say should one and all be liberally entertained.' Hor. *Od.* iv. 5, 31: *alteris te mensis adhibet* = entertains thee at the second course.

28. 71. **humani**: 'well-informed,' 'intelligent.'

ex ipso navigio: *i.e.* from the size of the vessel.

universos: 'in a body.'

instituisset: 'had ordained,' 'given orders'; so the praetor's 'ordinances' are called *instituta.*

non desideraret solum, etc.: 'not only missed the rest, but even clamoured loudly for them.'

Sertorianos milites. Sertorius, whom Mommsen calls 'one of the

greatest men, if not the greatest man, that Rome had hitherto produced,' was assassinated B.C. 72, by some conspirators among his own troops. The chief of these was Perperna, who took command of the army after the murder of Sertorius, but was quickly routed and put to death by Pompeius. The remnants of the army were scattered, some taking refuge in Mauretania, others joining the pirates. See § 153.

involutis capitibus: Verres had recourse to a practice which had obtained in the early days of Rome, whereby persons accused of 'perduellio' were executed with their hands bound and heads veiled. See the old formula quoted by Cicero in his speech *pro Rabirio* iv. 13: *i lictor; colliga manus: caput obnubito;* a formula which he says 'was long since lost in the mists of antiquity.'

eum locum: § 139 foll.

73. **ad . . . numerum**: 'to make up their full number.'

aversum: 'turned to his own use,' 'embezzled.' So 2 *Verr.* 1, § 11: *istum in quaestura pecuniam publicam* avertisse. Cf. § 152.

se induit: 'entangled himself.' Cf. § 166, *sua confessione induatur ac iuguletur necesse est*: 'he must be entangled and silenced by his own confession.'

29. priore actione. See Introd. § 11.

74. **crimini datum iri**: lit. 'would be assigned as a ground for charge'; *dare* and *habere* are the only other verbs besides *esse* which are found at all frequently with the 'predicative dative.' See Roby II. Introd. p. xxxii.

ideo se: the *se* is redundant, and perhaps has arisen from a repetition of the first two letters of *securi*.

patientiam: 'forbearance,' as in the opening of *Cat.* i. 1: *quo usque tandem abutere* patientia *nostra*?

cum tamen: 'while nevertheless.' Cf. Verg. *Aen.* ix. 513: *Saxa quoque infesto volvebant pondere . . .* cum tamen *omnes Ferre iuvat subter densa testudine casus.* *Cat.* i. 3, 7: *cum te . . . tamen . . . contentum esse dicebas.* Roby § 1727.

rationem: 'the consideration.'

propositum: 'before your eyes.'

hic cum: 'now when,' *hic* being temporal. Cf. *de Fin.* ii. 1, 1: *hic cum uterque me intueretur.*

75. **ignotos, notos**: with active meaning, as often.

quem ad finem? 'how long?' Cf. *Cat.* i. 1, 1: quem ad finem *sese effrenata iactabit audacia*? 'how long will your unbridled insolence vaunt itself?' So *ad eum finem, dum* . . . 1 *Verr.* 6, 16.

76. **liberum** : *i.e.* free from restraint; in which you were a free agent.

M. Glabrionem : the presiding magistrate at the 'first *actio.*'

intra moenia = *intra urbem.*

30. 77. **si aliquam** : see § 8, *si aliquid*; *manum*: 'an armed band.'

itane vero? 'did you really?'

defendes : in its original sense of 'ward off.'

de foro in Capitolium. The course of the 'triumphus' was along the Via Sacra (between the Coelian and Esquiline hills), through the Forum, and thus up to the Capitol. The prison here mentioned, the *Tullianum*, stood at the point where the procession turned off from the Forum to ascend the Capitoline hill.

78. **et nunc . . . tuo periculo viveret.** This difficult sentence is made more involved by the parenthetical clauses introduced. The main sentence is: *et nunc cuiquam credo esse dubium, quin tu id commissurus non fueris, ut ille archipirata non potius securi feriretur, quam tuo periculo viveret*: the meaning of which is: 'and now, I imagine, one doubts that your object would *not* have been that this pirate-chief should *not* rather be executed, than live at your peril': (the two negatives balance and destroy one another, *i.e.*) 'your object *would* have been that he *should* be executed rather than live at your peril, *if you had not been bribed.* This last clause in italics is the supplement to be supplied to '*quin commissurus fueris*,' which forms an anacoluthon. *cuiquam credo*, etc., is of course ironical, and *cuiquam* is used on account of the *implied* negative in *credo.*

quod . . . positum : the antecedent to *quod* is the sentence *tuo periculo viveret.*

si esset mortuus : *i.e.* while he was in your custody.

probare : 'pass for,'; cf. *pro Mil.* § 65: *mirabar volnus in latere, quod acu punctum videretur, pro ictu gladiatoris probari*: 'I wondered that the wound in his side, which seemed but the prick of a needle, should pass for the thrust of a gladiator.' Ter. *Eun.* ii. 3, 84: *praeterea forma et aetas ipsast, facile ut pro eunucho* probes.

79. **nescio quem istum** : 'some creature or other of yours,' cf. *Tusc. disp.* 3, 6: *minime assentior iis qui istam nescio quam indolentiam laudant*: 'I by no means agree with those who extol that freedom from pain of which you speak, *whatever it may be.*' See also §§ 156, 170.

tamen : you are scoffed at even when you produce the fellow alive, what would you have said, pray, if he had escaped . . .?

Nico : otherwise unknown.

verum hoc erat: C. here returns to the anacoluthon with which he broke off in § 78. 'No! the truth was . . .'

certus locus, etc. Should V. secure acquittal on the charge of 'repetundae,' he was still liable, C. hints, to another charge, viz., that of 'maiestas,' for releasing, or, to accept his own statement, for harbouring, a public enemy. (See book I. c. 5). There were several laws dealing with *maiestas*: the one referred to here was probably the *lex Cornelia* (B.C. 81), which more clearly defined the various offences embraced under the term; cf. § 42. The trials for 'maiestas' were at this time conducted by one of the six 'quaestiones perpetuae' established by Sulla as standing criminal courts, each one being presided over by a praetor.

31. 80. **concursare**: see § 29.

antea: § 30, which should be compared with this passage.

Arethusae fontem. 'The famous fountain of Arethusa, which formerly received divine honours, was once in the centre of Ortygia, but repeated earthquakes have compelled it to alter its situation, and, by dividing and damaging its channels, have sullied the sweetness of its waters. . . . It is still resorted to by a number of nymphs, who, washing their dirty linen, probably form as great a contrast to its ancient attendants, as its diminished stream must to its once noble torrent.'—Smyth's *Sicily*, p. 171.

arbitris: 'intruders,' 'eavesdroppers.'

81. **praetextatum**: see note to § 30, where he is called *filius adulta aetate*.

mulieres autem: contrasted with *vir accubaret nemo* from which a verb may be supplied 'accubabant.'

82. **at**: 'yet, at any rate,' cf. iv. § 41: *iste etiam tum patrem*, si non *in parentis*, at *in hominum numero putabat*.

32. 83. **ubi quaestores**? *i.e.* had you not quaestors to whom to entrust the fleet instead of to Cleomenes?

[ubi ternis denariis . . . permissa et data.] This has little bearing on the context and is with good ground suspected by Eberhard as an interpolation. The 'frumentum at 3 denarii' was the corn provided by the provincials for the personal use of the praetor and his suite, called 'frumentum in cellam': the praetor had a certain allowance from the senate intended to cover the necessary expense, and the price of the grain remained fixed at 4 sest. a bushel; the governor however could, and often did, make arrangements with the 'aratores,' by which they paid the value of the amount required in lieu of providing the corn, a custom which V. had taken advantage of, exacting from the unlucky aratores,

however, 3 denarii (= 12 sesterces) instead of the 4 sesterces fixed by the senate, and further increasing the number of *modii* demanded of them. See iii. § 188 foll.

ornamenta: a general term for the 'necessary equipment' of a provincial governor on tour.

vetustate: 'longstanding friendship.'

cognatione. Cf. iv. c. 33: *Segesta est oppidum pervetus in Sicilia, iudices, quod ab Aenea fugiente a Troia, atque in haec loca veniente conditum esse demonstrant. Itaque Segestani non solum perpetua societate atque amicitia verum etiam cognatione se cum populo R. coniunctos esse arbitrantur.* 'Segesta is an ancient town in Sicily which men say was founded by Aeneas, when in his flight from Troy, he came to these regions. The Segestani, therefore, consider they are connected with the Roman people, not only by long-standing alliance and friendship, but also by kinship.' Cf. also Thuc. vi. 2.

84. **dignitas**: the high position, which should have been held by a Roman: *aequitas*, justice towards Seg. and Centur. as civitates liberae et immunes: *officium*, obligations for past services: *honos*, the regard, esteem due to all these things.

captae: B.C. 212, during the Second Punic War.

possint: for the subj. see Roby § 1680.

85. **auctoritatem**: 'the precedent set by our ancestors,' cf. § 19.

33. 86. **propugnatorum**: 'marines' = ἐπιβάται.

stetit: Halm refers to Quintilian viii. 3, 64 who cites this passage as an example of ἐνάργεια, or vivid word-painting.

soleatus. The 'soleae' were mere sandals, covering only the soles of the feet; they were used only in the house, and it was considered a reproach for a Roman to appear in public with them. See Becker's *Gallus*, p. 425.

pallio, tunica: § 31. Cf. the reproach in Suet. *Tib.* c. 13: *redegit se, deposito patrio habitu, ad pallium et crepidas* (= κρηπίς, a high sandal of Greek fashion). Cf. *pro Rab. Post.* 10, 27.

muliercula: § 63 note.

87. **palmarum**: the dwarf-palm. See Nettleship's note in Conington's Verg. *Aen.* iii. 705, *palmosa Selinus.* Smyth (*Sicily*, p. 181) says: 'From the shape of the beach that shuts up this lake (*i.e.* an extensive salt lake near the modern town of Pachino) I have no doubt that it was once open and was the port of Pachynus. . . . The dwarf-palm still flourishes in prodigious quantities.'

34. Odysseae: a harbour in the extreme south of Sicily, on the promontory of Pachynum.

quod erat: *sc.* Pachynum.

88. **moliebantur**: 'were making great efforts for departure'; so Livy xxxvii. 11: *quaedam* (*naves*) *a Nicandro, dum moliuntur a terra, captae*: 'while they were straining every nerve to depart.'

89. **ratio.** Cf. § 10, *praedanti ratio.*

navis constrata: a decked vessel = καтάφρακτος, cf. τὰ πλοῖα κατάφρακτα, Thuc. i. 10. In § 104 we have the opposite *naves apertae.*

90. **publice**: 'at the public expense,' as in § 47.

rem omnem causamque: 'the whole facts of the case.' Cf. *Cat.* iv. 5, 10: *quid de tota re et causa iudicarit.*

35. 92. **nocte intempesta**: 'at dead of night.'

93. **specula**: watch-tower; cf. Grk. φρυκτώριον, φρυκτοί. Thuc. ii. 94; Aesch. *Agam.* 292.

reliquum = *futurum.*

36. 94. **sagum sumit**: 'assumed the military cloak.' 'In the case of any sudden panic, it was assumed by the whole body of the people, who in such a case were said—*saga sumere,*—*ad saga ire*—*in sagis esse.*'—Ramsay, *Man. Antiq.* p. 401.

Lampsaceni periculi. This refers to the time when V. was on his way to Cilicia to join the praetor Cn. Dolabella, as his legate; see Introd. § 5. He had attempted to outrage the daughter of one of the first citizens of Lampsacus, an act which so enraged the citizens of that place that they mobbed his house, and would have set fire to it and slain V. himself but for the intervention of some Roman merchants, who were trading at Lampsacus. See bk. I. § 63 foll.

hoc etiam: *hoc* is abl. referring to *quod . . . erat.*

acta: *i.e.* the kind of life he had led 'in acta.' See § 82.

de Hadriano: C. Fabius Hadrianus was governor of Africa; his rule was so oppressive to the Roman colonists that they burned him alive in his house at Utica. See bk. i. § 70. *de Hadr.* sc. in Verrem.

95. **etiam**: 'still.' Cf. § 120, *viris etiam illis.*

37. 96. **clauditur**: 'confined,' 'bounded.'

urbe portus ipse cingitur. This is a rhetorical exaggeration; only the island of Ortygia and a small part of the city were washed by the waters of the Great Harbour; though ships well round the promontory of Ortygia might reasonably be said to be within the city.

in sinum: 'in the heart of the city' as we say.

97. **crepidines**: 'quays.' So in Grk. κρηπίς, Herod. i. 185.

98. **trecentis**: another exaggeration. Thuc. says that the fleets of the Athenians and Syracusans together fell a little short of two hundred: βραχὺ γὰρ ἀπέλιπον ξυναμφότεραι διακόσιαι γενέσθαι, vii. 70.

suo nomine ac moenibus: 'all to itself with walls of its own.' *Suo nom.* = lit. 'on its own account.'

38. 99. **insula Cereris.** Sicily is one of the many places mentioned as the site of the wanderings of Ceres in search of her daughter, Proserpina, who had been carried off by Pluto. See bk. IV. c. 48. The worship of Ceres (Demeter) was introduced into Sicily by Greek colonists from Corinth, from whom it was borrowed by the Romans.

100. **[honestissimorum]**: a conjecture of A. Eberhard.

39. 101. **tenebatur**: 'clearly understood,' 'found out.'

ante quam . . . venit: 'even before this turned out to be the case.' Observe *venit* in *indicative*, marking merely the time before which he made up his mind.

102. **hac videlicet testif.** 'Videlicet' adds a fine touch of sarcasm to the phrase. Cf. *Cat.* ii. vi. 12; *Homo enim* videlicet *timidus aut permodestus vocem consulis ferre non potuit*: 'For the fellow (Catiline) was so timid, I suppose, and so excessively modest that he could not endure the consul's voice.' Cf. the Greek use of δή, δῆθεν: Thuc. vi. 80: τοὺς Ἀθηναίους φίλους δὴ ὄντας = your fine friends!

103. **importuni**: 'brutal.' Cf. § 139, *importunam naturam.*

ratio: 'consideration.' Cf. § 101, *hanc rationem habere coepit.*

40. 104. **quid C. fiet?** 'what will become of C.?'

dissolutus. See § 7, note.

exsecrationes: 'solemn oaths' of fidelity.

105. **ita sui . . . postulare**: 'so considerations of his personal safety demanded and required.' For this use of *ferre* cf. 2 *Verr.* 23, § 57: *tamdiu pependit in arbore colonus, quamdiu voluntas Apronii tulit*: 'as long as the pleasure of Apronius required'; *pro Cluent.* § 168, *ut aetas illa fert*: 'as that period of life demands.'

potius . . . quam . . . sim: 'I will take upon myself . . . rather than be cruel . . .' For the omission of *ut* after *potius quam*, cf. Livy xxviii. 44: *illum potius ego traham quam ille me retineat*: in Livy iv. 12, we have the *ut* inserted: *multi, potius quam* ut *cruciarentur, se in Tiberim praecipitaverunt*, 'many hurled themselves into the Tiber rather than be tortured.'

inconstantiae. Cf. § 56, note.

41. 106. **metuerent, suspicarentur**: causal subjunctives. Roby § 1714.

hoc causae: 'alleged this as a reason,' lit. this much of reason. Cf. § 38 *neque* illud rationis *habuisti*; § 168 *hoc iuris*. Roby § 1296.

107. **non quo . . . quisquam putaret**: 'not because anyone thought . . .' Subj. of assumed reason, Roby § 1744.

cuicuimodi: an irregular form of the genitive used instead of the awkward *cuius cuiusmodi*, Roby I. § 382.

magno opere: with *potuit*, 'to any great extent.'

108. **tamen**: *i.e.* though resolved on their destruction, *still* he grants them the mock-ceremony of a trial. For C. Sacerdos, see § 55, note.

iniuriarum: *iniuria* in Roman law included not only open acts of violence or assault, but also libel (*mala carmina*, *famosi libelli*), severe penalties being attached to the offence by the Laws of the XII Tables.

in decumis. Naevius Turpio had been the agent of Verres in his fraudulent dealings with the *decumani*, from whom he extorted more than the legal 'tenths.' See bk. iii. § 90; calumnia = 'malicious indictment,' 'false charge.'

praecursorem: 'agent'; emissarium: 'go-between.'

auctoritate: 'influence,' 'reputation.'

42. 109. **absentem . . . damnarit.** This was in defiance of a specific decree of the senate, bk. ii. § 95.

in reos rettulerit: as we say, 'entered his name on the charge-sheet.' Sthenius had incurred the displeasure of Verres for refusing to assist him in carrying off some valuable statues at Therma; the praetor thereupon suborned some creatures of his own to accuse Sthenius of forging public documents. See bk. x. § 83 foll.

110. **deseruerat, fuerat**: sc. Aristeus. In this imaginary dialogue V. is adducing various reasons why Aristeus should be in custody, each of which is countered in turn by C.

nudus . . . destitutus: 'left all but naked and destitute,' stripped of everything, even of the very clothes off his back almost. Cf. ii. 74, *solus destitutus*.

quid erat autem . . . cervices. This is supposed to be a specimen of what went on between Verres and the accused; what could one say, what defence could one make, asks Cicero; for, says Verres, 'you must not mention Cleomenes' name'—'but the case demands it,' replies the defendant—'you shall die if you appeal to him!' 'Well, there were no rowers (what could I do under those circumstances?)' 'you accuse the praetor, do you?—strangle him at once!'

aemulum. Cf. § 82.

in his duobus: *i.e.* when the whole case is entirely in the hands of these two.

43. 111. **in ea causa, qui**=*in ea causa, ut is*: 'his case was, that . . .'

in commeatu: 'on furlough.'

hoc: if he had been a mere deserter and not on sick-leave, that must have been observed before the fleet set out from S.

in eadem causa, quasi: *causa* as above; 'was situated exactly as if . . .'

causa . . . criminis: 'against whom there could not be alleged any reason for even a false accusation.'

112. **non . . . solum:** sc. 'but elsewhere too.'

scripsit: should strictly be 'scripserit'; but the sentence is more vivid as it stands.

113. **Vos:** *i.e.* the 'sapientes iudices' referred to below. *Cognovit* 'know' in the sense of 'judge rightly of.'

[ius]. This is an emendation, due to Eberhard, for the MSS. *nos* which is scarcely intelligible. Richter omits the word altogether, making the sense, 'V. cannot get rid of witnesses by killing them, for . . .' Long suggests *eos* with the same meaning. Halm has *scelus*.

[si viveret]: probably a gloss on *tum*.

Poenas, Furias: Cf. Cic. *Pis.* 37, 91: *o Poena, o Furia sociorum*, and in Greek, Ποιναί, Ἐριννύες (πατρός, Aesch. *Theb.* 70).

114. **abusus est:** 'made full use of.' Cf. § 142.

44. in tanta re tot hominum: 'in a case of such importance, affecting so many men.'

reiectus est. In all civil or criminal cases either party could challenge (*reicere*) a certain number of the jurors, and demand their exclusion from the case without assigning any reason for his objection. To fill the vacancies thus caused lots were again cast and the requisite number of men chosen; this supplementary ballot being called '*subsortitio*.' Ramsay, *Man. Antiq.* p. 296. Both Cicero and Verres had availed themselves of this principle of Roman law.

116. **peribant**=*perituri erant*.

Timarchides: one of the boon-companions of V. § 81.

117. **obsoletis:** 'ordinary,' *obsoletus*=that which has become common by use.

45. constituitur, sumitur: a rhetorical asyndeton—'punishment is appointed for them, but is exacted from their parents too, for . . . *Nauarchorum* is weak and is probably a gloss.

119. **suo**: 'their good Sextius.'

120. **hoc, ne . . . irati, dicit.** The sense is: Onāsus, by paying for a man who was not his son, prevents you from saying in your defence that the witnesses against you were fathers, who, embittered by the loss of their sons, gave false evidence against you.

Timarchidi is genitive: cf. *Cleomeni Syracusani* § 82.

funera locabantur: 'their funerals were contracted for,'—a technical business term used with telling irony in reference to *redimunt pretio sepeliendi potestatem* above.

decisis: 'settled,' 'arranged.' So *decidere* is used impersonally bk. i. § 125: *nisi cum muliere* decideretur. Cf. Juv. xii. 33: decidere *jactu Coepit cum ventis*=to come to terms with the winds by throwing the cargo overboard.

46. 121. **avaritiae . . . sanare**: an insipid unmeaning bit of rhetoric, as Long calls it.

desunt: note the double meaning with *illis* and *tibi*: 'are not wanting,' in avenging *them* and taking vengeance on *you*.

innocentium poenas: 'to exact vengeance for . . .' Cf. *pro Rosc. Am.* § 67: *Furiae, quae* parentum poenas *a filiis repetunt.*

122. **Phylarchus**, § 90: Phalacrus, § 105.

in hunc . . . incidisset: 'would have fallen into the hands of . . .'

47. 123. **alumnos**: 'sons.' Cf. § 169. The word is from the root of *alo*; cf. *almus, altrix* applied to land in the sense of 'nourishing,' 'life-giving.'

plebi Rom.: for the cheap distribution among the lower classes at Rome. Cf. § 52, note on *lex Terent. et Cass.*

suscepti: an allusion to the practice of the father 'taking up' the new-born child laid at his feet, thereby acknowledging it as his offspring and declaring his willingness to rear it.

124. **P. Africanus.** After the capture and destruction of Carthage at the end of the third Punic War, B.C. 146, Scipio Africanus restored to the Sicilian cities many works of art of which they had been despoiled by the Carthaginians; thus, to Tyndaris he restored a statue of Mercurius (Hermes) and to Segesta a statue of Diana (Artemis). See bk. iv. §§ 84 and 74, and § 185 of this speech.

septemdecim: *i.e.* the seventeen cities that had been faithful to Rome during the Punic Wars.

pacis ornamenta: all the necessary contributions demanded of them for the maintenance of provincial government in times of peace.

iura: 'privileges,' 'prerogatives,' which they should have enjoyed as friendly states.

125. **navi . . . abducta**: the reading is uncertain here: (in § 90, the fleet that followed Cleomenes was burnt by the pirates): Eberhard brackets as in the text: Halm, following the *cod. Vatic.* reads *spoliata navi a praedonibus*, without *abducta.*

cognatio: see note to § 83. *huiusce necessitudinis* a superfluous amplification of *cognatio.*

nempe . . . fuit: 'why, of course, it had this privilege!'

agros: the lands taken from the people subdued in war and leased out to the Segestani on payment of the 'tithes.'

immunem: see § 49.

cognationis etc. The genitives depend on *hoc iuris*, for which cf. *hoc causae*, § 106: 'Not even so much privilege from their relationship. . .'

48. 126. **non est senatorium**: *i.e.* the senate, as such, had nothing to do with the trial of cases, though the *indices* might be selected from that body.

causa pop. Rom.: the R. people could easily dispose of the appeal —their *case* was easy enough—they would say . . .

legem iussisse. This was the technical term for the passing of a bill by the whole body of the Roman people assembled in the *Comitia.* The bill was proposed to the people by the presiding magistrate, in the formula *Velitis iubeatis, Quirites?* the people either accepted (*iubere*) or rejected it (*antiquare*). In submitting a measure to the Comitia the magistrate was said *rogare legem*, and the bill was called *rogatio*, and if passed it became a *lex*; (though this distinction is not always kept).

127. **ab hostibus victis**: who had no claim to the *iura sociorum.* C. is here speaking of the statues and other works of art which adorned the public buildings of the city in contrast with those of which Verres and other provincial governors had plundered the allies for the embellishment of their own country houses.

egent: 'are in poverty.'

Achaiam, Graeciam. The Achaean league was defeated by Mummius 'Achaicus,' B.C. 146, and Achaia joined to Macedonia as a province; it was not made a separate province till the end of the republic. It seems to be used here loosely for the Peloponnesus, *Graeciam* including all the northern districts.

49. 128. **quo nomine . . . appellatur**: *i.e.* de pecuniis repetundis.

sese ipsum: *i.e.* his restitution to his country; he had been '*capite damnatus indicta causa*,' by Verres, § 109.

ex litibus aest.: 'in the assessment of your damages,' *i.e.* in the estimation of the amount of restitution you have to make for your

unlawful gains. The '*litis aestimatio*' was made by the *iudices* after bringing in their verdict in cases of extortion or peculation: the restitution was variously fixed at double or four times the amount unlawfully obtained.

hoc tantum lab. it.: hendiadys: 'such a toilsome journey'; for *Eubulida*, see § 110.

129. **L. Metellum.** L. Metellus succeeded Verres as praetor in Sicily, B.C. 70. He and his brothers Quintus and Marcus were staunch supporters of V. (Introd. § 11). As praetor of Sicily he had forbidden any embassy leaving the island to appear against Verres, and had forcibly detained most important witnesses on Cicero's side. See bk. ii. § 12.

veniebant. For the vivid indicative instead of the more regular subjunctive *venissent*, see Roby § 1574.

utrumque = utrorumque.

130. **gloria**: 'ambition,' 'love of renown'; cf. Hor. 1 *Sat.* vi. 23: *Sed fulgente trahit constrictos* gloria *curru Non minus ignotos generosis*: 'ambition draws alike the humble and the nobly-born, chained to her gleaming car,' and 2 *Ep.* i. 177.

deiecero: 'avert,' cf. § 162: *cruciatum a corpore deiecturum arbitrabatur.*

50. 131. **ita defendat**: Hotman's conjecture, 'defendat *ut* illa . . . praetermittat,' has much to recommend it. As the text stands, *ita* is explained in § 135, *quapropter si mihi respondere voles, haec dicito*, etc.

culpae fortunam adsig.: 'make a man's ill-fortune a ground of accusation'; cf. Cic. *ad Fam.* vi. 7: *quidquid detrahas necesse est aut infirmitati aut invidiae adsignetur*: 'any disparagement you make is necessarily ascribed to weakness or ill-will.'

obicere: 'cast in one's teeth.'

offenderint: 'have failed.' So *offensio* = 'failure,' 'want of success.' Cf. *de Off.* i. 21, 71; *pro leg. Man.* x. 28: *cuius adolescentia non* offensionibus *belli sed victoriis est erudita*: 'whose youth was trained not by failures but by victories.'

naufragia fort: cf. § 98, *gloriae naufragium.*

perpetuo: with *sociis atque amicis*; cf. § 83: *in amicitia fideque populi Romani* perpetuo *manserant.*

132. **perfugia fortunae** = all chance of attributing your failure to ill-luck.

tametsi solent ei . . . 'Only those have a right to complain of their ill-luck being cast in their teeth, who trust themselves to fortune: there was no question of "fortune" in your case, you were engaged not in battle but in debauchery.'

mortem communem. Communis was a common epithet of Mars as being 'impartial,' favouring now one now another. Cf. *ad Fam.* vi. 4, 1 : *cum omnes belli* Mars communis *et cum semper incerti exitus proeliorum sint* : 'since the fortune of war is always equal and the issue of battles ever uncertain.' *Venerem communem* is used in sarcastic allusion to the 'impartiality' with which Verres dispensed his favours.

133. **praecidas licet** : 'you may pass over this too,' a mild imperative: praecidere = lit. to cut short one's remarks. Cf. *de Senect.* 16, 57, *brevi praecidam* : 'I will briefly pass over.'

vertitur : 'is concerned with,' depends upon.' Cf. Livy xxxvii. 7, 8 : *Sed totum id* vertitur in *voluntate Philippi* : 'but all this depends upon P.'s will.'

in milites nostros. Serious breaches of discipline, such as mutiny and desertion, were punished by death. Military punishments were entirely at the discretion of the *imperator*, from whose decision there was originally no appeal ; but see note to *leges Semp.* § 163. An offence committed by a large number of men was punished by *decimatio*, or the execution of every tenth soldier. See *pro Cluent.* § 128 where C. mentions the adoption of this form of punishment, adding *ut metus videlicet ad omnes poena ad paucos perveniret.*

51. Pachyno. Cf. § 87 note.

non modo (non) sed . . . ne . . . quidem : on the omission of (*non*) when both clauses have a common predicate, see Roby § 2240 c.

134. **mercedem lacrimarum** : referring to the extortions of the *carnifex* Sextius § 118.

135. **quapropter.** See § 131.

vacuum remum. A *remus vacuus* is an oar without a man to work it. Long says 'tractus' = 'attached to its place and *dragged along* instead of being worked by the hand of the rower,' an arrangement, one would think, most detrimental to getting much way on the ship, to say nothing of the inconvenience caused to the other oarsmen ! Halm regards it as merely a stronger expression for 'carried,' and it may simply imply the carrying of what was more a hindrance than a help, and the expenditure of more than one's due share of exertion.

tenebere. Note to § 39.

52. 136-8. A recapitulation of the charges brought against Verres. Notice the skill with which C. in a perfectly natural and consistent manner, without any apparent straining after effect, sums up the whole case of Verres' maladministration, leaving a vivid impression on the minds of the jurors of his enormities, before

passing on to speak in greater detail of his most heinous crime—the execution of Roman citizens unheard.

non, ut quisque . . . 'do you not feel, the closer a man's connection with you, the greater shame before him when under a charge of this kind?' *Ut quisque max. est, quicum tibi aliquid sit* is a paraphrase for *ut quisque* maxime est tibi *amicus*, *familiaris*.

te . . . eius pudet: 'do you not feel shame *before* him?' cf. Livy iii. 19, 7: *Pudet me deorum hominumque*: 'I feel shame in the sight of gods and men.'

potuisti = aequo animo potuisti. Cf. Madvig's note to *de Fin.* ii. 67: *qui voluptatis nomen audire non possent.*

137. **tunica pallioque.** §§ 31, 86.

frugibus = leguminous produce, *e.g.* beans, peas, etc.; *frumento* = grain of all kinds.

53. 139. C. now passes on to the third division of the speech (see Introd. § 12) dealing with the punishment of the Roman citizens. It is from these concluding chapters that the grammarians derived the title by which they have distinguished this speech—*de Suppliciis.*

necessitudini, as the former quaestor of Sicily, Introd. § 8.

recepto: 'obligation,' cf. § 183: so *promissum et receptum* in *Phil.* ii. § 79.

causa . . . innata: parallel to *animo penitus insita*, a cause of deep personal interest.

importunam. Note to § 103.

conventu: the assembly of persons to attend the assizes.

§ 140. **nullum civitatis discrimen**: 'citizenship made no difference in this respect,' *i.e.* *in suppliciis*: one of the chief privileges of 'civitas' was immunity from stripes.

54. maximo conventu; e conv. Panh. The first *conventu* = merely a gathering, crowd of bystanders, as in § 28 *lucem conventumque vitabant.* The second is used in the more restricted sense of an assembly of Roman citizens in a province, see § 10.

veterem: 'of long standing.'

141. **iniuriam facio**: *i.e.* in asking such a question, admitting that there could be any reason: *civitatis*, citizenship.

ignoscite in hoc uno: 'pardon me in this one instance: for in the other cases I shall not much look for reasons.'

quod isti simul ac, etc. The technicalities of this section will be best understood by a brief explanation of the case. Servilius had spoken too freely of the iniquities of Verres; Verres, therefore, summoned him to Lilybaeum to answer some charge or other

which he had trumped up in the name of a certain slave. Servilius appears at Lilybaeum, but no accuser is forthcoming. Verres, however, requires him to pay a sum of money as a guarantee 'that he is not acquiring a livelihood by theft,' offering to appoint some of his own retinue as arbiters. Servilius protests, and is accordingly beaten to death. These are the facts that we gather from Cicero, but we know that no slave could be a party to a suit, and so we are met at the outset by a difficulty of 'Venerius servus.' We must either accept Cicero's statements and make the best of them, or suppose that Verres treated the law with such contempt as to allow a slave, nominally at least, to appear as plaintiff; though in this case it is not easy to see why he should try to give a legal colour to his proceedings at all.

Vadimonium promittere. *Vadimonium* was the 'bail' demanded of the defendant by the plaintiff for his appearance on a fixed day to answer to his charge. The plaintiff was said—*vadari aliquem*, the defendant *vadimonium promittere*; see § 34. For *Lilybaeum* used pregnantly for 'to appear at L.,' cp. bk. iii. 78: *promittunt Herbitenses vadimonium* Syracusas.

Venerio servo: a slave in the temple of Venus at Eryx.

nemo ageret=*nemo actor* (plaintiff) *esset*: *postularet*, sc. *a praetore iudicium*, *i.e.* demanded that his complaint should be heard.

sponsionem facere. This was a legal form by which two persons entered into 'a sort of judicial wager' as Ramsay calls it (*Man. Antiq.* p. 283). It was called 'sponsio' from 'spondeo,' the word employed by both parties; *e.g.* A. would say to B.: 'If I can prove you are making a livelihood by theft, do you agree (*spondesne*) to give me a certain sum?' to which B. would answer: 'I do (*spondeo*).' Both A. and B. were equally said *sponsionem facere.* The amount was forfeited by the losing party.

milium: the exact number of thousand sesterces is wanting in the MSS.

ni furtis . . . faceret. The actual words of the formulae in this case would be:—*Lictor*: 'si furtis quaestum facis, mihi dare nummos, Servili, spondes?' *Servilius*: 'Spondeo.' When this is put indirectly *si* becomes *ni*; 'the substitution of *ni*, in affirmative wagers, for the *si* of the formulae, being probably due to the risk which the *plaintiff* runs, and the exception which, if proved, would free him from this risk, being chiefly regarded.' Roby ii. p. 331, note. Cf. *de Off.* iii. 77: *cum is sponsionem fecisset*, ni vir bonus esset=*to be forfeited*, *if* he were *not* a good man.

recuperatores: 'arbitrators' appointed by mutual consent of the two parties to a suit, when they wished a speedy decision of their case without the usual tedious formalities of ordinary processes. Ramsay, *Man. Antiq.* p. 277.

iudicium capitis: 'a trial affecting his civil status,' because if convicted on the charge of 'furtum' as he had every prospect of being, before '*iniqui iudices*' he would be liable to 'infamia' or loss of most of his civil rights. Ramsay, *Man. Antiq.* p. 84.

142. **proximus lictor**: the 'chief' lictor; the six lictors walked in single file in front of the praetor, and the one immediately before him would be 'proximus,' and would hold probably higher rank than the rest.

bacillo. The lictors carried, besides the ordinary 'fasces,' a stout cudgel in their right hands for clearing the way for the magistrate. See the illustration in Ramsay, *Man. Antiq.* p. 224.

homo Venerius = Verres, with a play on *Venerius servus*, § 141.

adfluens o. lepore ac venust.: 'the very pink of grace and gallantry.'

abutebatur: 'misapplied,' or perhaps, as in § 114, 'squandered.'

ad nocturna vota, etc.: 'in fulfilment of his midnight vows for the satisfaction of his lust.'

55. 143. **Dionysio.** The elder tyrant of that name, who ruled in Syracuse, 406-368 B.C. For the 'lautumiae' see note to § 68.

hic, ubi trib. plebis: hic = in Rome. A *tribunus plebis* was not allowed to absent himself from the city during his tenure of office, but was to be accessible at all hours of the day or night in case of an appeal being made to his protection.

144. **contionis**: 'contio' was a public meeting summoned for various purposes by a magistrate; the special 'contio' alluded to here was that before which Verres could be charged for maladministration during his term of office.

56. 145. **illi.** The celebrated robbers of antiquity, such as Sinis and Procrustes who were slain by Theseus; the Laestrygones who haunted Campania and Sicily; the Cyclopes, etc.

infestus . . . imminebat: 'was the terror and menace of every sea on all sides of Sicily.'

Phalaris: the tyrant of Agrigentum (of uncertain date), who has made himself infamous in connection with the 'brazen bull' in which he roasted his victims alive.

alter non D. . . . sed quodam: there is a slight anacoluthon here but the sense is clear.

immanitate: 'herd of monsters,' abst. for concrete. Cf. servitium, etc. § 9, note.

146. **Charybdim, Scyllam.** Two monsters who gave their names to two rocks situated in the straits between Italy and Sicily; they were both formidable to sailors, the former being said to swallow down the waters of the sea thrice a day, and thrice throw them up again; the latter was represented as surrounded by fierce hounds, hence C.'s allusion in 'canibus,' by which he means of course the 'monsters' in the retinue of Verres. In describing this locality, Smyth (*Sicily*, p. 107) says: 'Moderns of intelligence in visiting this spot have gratified their imaginations with fancying it the scourge of seamen, and that in a gale its caverns "roar like dogs"; but I, as a sailor, never perceived any difference between the effect of the surges here and on any other coast, yet I have frequently watched it closely in bad weather.'

pleniores: 'with richer cargo.' *Sertorianos*, note to § 72.

Dianio: a promontory (and fort) on the East coast of Spain, used by Sertorius as a base for naval operations. It got its name from a temple of Diana erected on its height.

eas ipsas: attracted for *ea ipsa* (argumenta) *causas esse*.

57. 147. **institutis** = 'proceedings,' practices.' See § 8.

num: 'not, I suppose,' 'surely not . . .'

ex ipsius sinu: 'from his own pocket.' The *sinus* was a voluminous fold in the breast of the toga used as a pocket. See the woodcut in Becker's *Gallus*, p. 414.

rationem carceris: 'the prison-roll.'

148. **ita defendere**: 'urge this plea,' viz.: that they had all died.

ἐδικαιώθησαν: a Sicilian provincialism or euphemism for 'they were executed,' a meaning which Cicero says Verres was too careless (*dissolutus*) to note (*attendere*) and too illiterate (*barbarus*) to understand (*intellegere*). Notice the *chiasmus* in which *attendere* refers to *dissolutus* and *intellegere* to *barbarus*. See Roby, vol. i. p. 481.

58. 149. **natio**: 'tribe,' generally used of uncivilised people)(*gens*.

151. **superiore ex loco**: *i.e.* from the *rostra* or raised platform from which magistrates addressed the people. Cicero refers to the charge of *maiestas* which, when he became curule aedile, he would bring against Verres, if he were acquitted on the present charge. See § 173 and note to *certus locus* § 79.

cui = *nam* si *ei*, with change from second person (*te, tibi*) to third.

152. **basilicas** : these were covered porticoes connected with the Forum; they were used originally by merchants for the transaction of business, and eventually served also as law-courts. Their name, *basilicae* (sc. *aulae*) was derived from the στοὰ βασίλειος at Athens, the portico in which the ἄρχων βασιλεύς administered justice.

istorum hom. : 'such men,' *e.g.* partisans of Marius and Sertorius, who had been pardoned and allowed to return to Rome.

civilis enim dissensionis, etc. : 'for in the civil strife and madness, or fate, or calamity (whichever you like to call it) which has fallen on us, that is no unwelcome termination, in which, etc.'

consulis. Cn. Papirius Carbo, see Introd. § 4. Verres had been quaestor to Carbo, but deserted him and 'transferred his quaestorship' to the party of Sulla (*translator quaesturae*), carrying with him the military chest.

aversor pec. publicae. Cf. § 73 note.

in foro, etc. : *i.e.* they enjoyed all the privileges of *civitas* with the exception of the right to hold office (*ius honorum*), which, by a lex of Sulla B.C. 81, was withheld from the sons and grandsons of proscribed persons.

153. **Perperna.** See note to § 72. After the death of Sertorius, Perperna took command of the armies of Spain, but was defeated in his first engagement with Pompeius, who had him put to death.

59. id quod defendis. Cf. § 148.

isti generi hom. = *istorum hominum*, § 152.

154. **Non licet me uti.** See note to § 45.

isto tanto bono : 'such a great advantage.' *i.e.* of letting Verres prove that the *mercatores* whom he put to death were partisans of Sertorius.

Puteoli : now *Pozzuoli*, was a great trading centre and place of resort for merchants from Asia, Syria, and Egypt.

collibertos : a *collibertus* was a man employed by a *mercator*, who was himself a *libertus* : 'fellow-freedmen.' Long regards *partim collibertos* as spurious.

partim in vinclis necatos. This refers to the secret strangling of the prisoners,—*securi percussos* to their public execution.

dicat, repetat : final subjunctives.

Dianio. See note to § 146.

155. **testem nullum int.** : see Introd. § 11.

argentariam fac. : cf. *naviculariam facere*, § 46. 'The business of an argentarius was to exchange various kinds of money for merchants and others, as is now done by money-changers. He

probably also received deposits and advanced money on security.' —LONG.

Lepti. There were two towns of this name in Africa : Leptis *Magna* and *Minor* ; it is uncertain which is referred to in the text.

amplius centum. See Roby § 1273.

60. Capitibus involutis. See § 72 note.

M. Annii. See §§ 73, 74.

advenam nescio quem : 'some insignificant stranger,' see § 79 n.

157. **suburbana.** Cf. bk. ii. § 6 : *sic populo R. iucunda suburbanitas est huiusce provinciae.*

61. 158. **Consano mun.** : 'from the township of Consa or Compsa,' in the territory of the Hirpini.

159. **rem in medio p.** : 'I will lay the facts before you.'

62. 160. **magistratum Mam.** : see note to § 44.

ab se = *a magistratu* : *ipse* = Verres.

161. **meruisse**, sc. *stipendia* : 'had served.'

162. **usurparet** : '*continually* uttered,' cf. § 166, *usurpatio civitatis.* See note to *usurpatum* § 51.

63. 163. **lex Porcia legesque S.** Livy x. 9 says : *Porcia lex gravi poena si quis verberasset necassetve civem Romanum sanxit.* 'The *lex Porcia* enacted penalties for beating or killing a Roman citizen.' Cic. *pro Rab.* 12 : *Porcia lex virgas ab omnium civium R. corpore amovit.* The 'lex' is generally supposed to have been passed by M. Porcius Laeca, tribune of the plebs B.C. 197. See Ramsay, *Man. Antiq.* p. 286.

leges Semp. The 'lex' of Gaius Sempronius Gracchus, B.C. 123, '*de provocatione*' made previous enactments on the subject more severe, and extended the right of appeal to the army (Mommsen, iii. p. 112). Cic. l. c. : *G. Gracchus legem tulit ne de capite civium R. iniussu vestro iudicaretur.* 'G. Gracchus brought in a law that no Roman citizen should be tried on a capital charge without your orders' (*i.e.* of the people).

tribunicia potestas. Sulla (B.C. 82-79) had sought to limit the authority of the tribunes of the plebs by placing considerable restrictions on their right of addressing the people whenever they thought fit, and by practically annulling their power of veto on any measure proposed by a magistrate by imposing a heavy fine on the abuse of this right. He had also enacted that no tribune of the plebs should be eligible for other magistracies (Mommsen, iii. p. 363). These restrictions had been lately removed in B.C. 70 in the consulship of Crassus and Pompeius.

ignes. Cf. § 14.

vidisti enim ut: ut = 'how.'

repetisse videretur: *i.e.* if they had 'lynched' Verres.

164. **repentinum**: 'all of a sudden,' no suspicion of such a thing having occurred before.

ad arbitrium tuum: 'as many as you like.' The classical expression, as Halm observes, for the late Latin *ad libitum*.

64. 165. **tuis proximis**: 'those around you,' *i.e.* his advocates and friends.

quod . . . datur: 'which you yourself allow,' viz. that Gavius had declared *se civem esse Romanum*.

iam: *i.e.* after your own confession.

166. **induatur.** See note to § 73.

usurpatione: § 162 *usurparet*.

65. 167. **eis quo** = eis ad quos. Cf. § 59: urbem quo = u. ad quam. Madv. § 317 obs. 2.

cum cognitoribus: 'with those who knew them.' Cf. *cognoscere* used in this sense several times already, *e.g.* §§ 72, 155.

existimationis: 'public opinion.' Cf. § 175 *liberatum existimationis metu*.

168. **liberas civitates**: 'free states.' These were communities which, as a special privilege for some benefit conferred on Rome, or from motives of policy, were allowed to administer their own affairs without interference on the part of the provincial governor. —Ramsay, *Man. Antiq.* p. 190.

tua defensione: your plea, that the praetor has arbitrary jurisdiction over suspected persons within his province.

etiamne id . . . mittere? 'was it a very difficult matter to send letters to P.?' to establish his identity.

adservasses: 'you might have kept,' potential subj., Roby § 1534 foll.

cognosceret. For the omission of *si* in the protasis, cf. Roby § 1552.

hoc iuris. Note to § 106 *hoc causae*.

66. 169. **fretu.** For this heteroclite form, see Roby vol. i. § 396.

alumnum. Note to § 123.

adfixum; sc. *cruci*, *supplicio* being abl. Another reading is *adfectum*.

170. **nescio quem.** Cf. § 156.

quod: 'the point, which . . .' celebritate: 'concourse,' see § 46, *celeberrimo*. regione: 'position.'

praetervectione: 'on the line of passage,' abstract for concrete.

67. 171—End. The peroration to the whole of the five books of the *accusatio*.

inanima. Some editors give *inanimata*, which Madvig (*de Fin.* iv. 36) shows to be an un-Ciceronian form.

iste civis R. : Verres. Cicero says he ought not to have any apprehension that the Senators will not regard Verres as deserving of crucifixion, though they consider that punishment as most unsuitable for Roman citizens in general. Some editors omit *non* before *unus*, taking *civis* to refer to Gavius.

172. **tandem** : 'pray.'

veritas : 'the undoubted fact,' viz. that all Roman citizens are sprung from one stock and so *sanguine coniuncti*.

173. **ratio** : 'my calculations.'

potestatem apud se agendi. Cicero had been elected as curule aedile for the following year, an office which would give him the right of addressing the people (*agere cum populo*) which he had not as *privatus*. Cf. *Actio* i. 36 ; on the powers of the curule aedile see § 36.

me agente : 'on my prosecution' of Verres. Cicero had threatened that if Verres was acquitted on the present charge of *repetundae* he would impeach him for *peculatus*, appropriation of public funds : if unsuccessful here, he would charge him with *maiestas* (see § 42) : if that failed, then he would accuse him, *before the people*, of *perduellio*. The trial for *maiestas* would take place before a special court appointed to hear such charges—one of the *quaestiones perpetuae* or permanent commissions ; the charge of *perduellio* would be heard and decided by the people—hence the allusion in the text to *suis suffragiis*. Cf. bk. i. c. 5 and Ramsay, *Man. Antiq.* p. 300.

ante Kal. Feb. : *i.e.* before he had been a month in office.

ad illud p. R. iudicium. Cf. bk. i. c. 5 : *mihi credite, arctioribus apud populum R. laqueis tenebitur*.

probabilis et facilis : 'admitting of easy proof,' 'easily proved.'

de uno crescere : 'to gain honour at the cost of Verres alone.' Cf. *pro Cluent.* § 77 : *ut ex senatoria invidia posset crescere* : 'that he might make capital out of the unpopularity of the senate.'

68. **delecto consilio** : 'select body' of judges : a certain number of citizens were annually chosen by the praetor urbanus to serve during the year as *iudices* in the 'permanent commissions' ; the list of men thus chosen was called *album iudicum*, from whom the requisite number was taken by lot for each trial, and these were further liable to rejection (*reiectio*) by either party to the suit. See Ramsay, *Man. Antiq.* p. 294 ; Cic. *pro Cluent.* § 121 ; and Appendix.

delegerim : *i.e.* he had not 'rejected' them.

cera : an allusion to the tablets smeared with wax (*cera*) with which the iudices recorded their votes.

174. **ex hoc loco** : *i.e.* if in my position, as your opponent, I may offer you advice. *locus*, *loco* : this figure of speech, where the same word is used in two different senses, is called *traductio* ; cf. *auct. ad Her.* iv. 14. : *cum idem verbum modo ponitur in hac, modo in altera re*, *hoc modo* : Veniam *ad vos si mihi senatus det* veniam. Cf. Cic. *Orat.* 135.

de illo . . . praefinio : 'set any limitation on you in this matter.'

censeo desistas. Cf. *Cat.* iv. § 13 *vereamini censeo*, on which Halm says : 'the subjunctive after *censeo* (I imagine you must be fearing) in this form of speech has generally an ironical force.'

temptata : for the various manœuvres by which Verres tried to get the trial postponed till the following year, see Introd. §§ 9, 10, 11.

175. **designatum cons.** : see Introd. § 11. Defunctum, designatum : causal ; def. honoribus : 'because you have filled all the offices of state.' Hortensius had already held the offices of quaestor, aedile and praetor, and was consul-elect for the following year, B.C. 69, with Q. Caecilius Metellus.

existimationis. Cf. § 167 : *existimationis periculo continentur.*

quoad necesse fuit : *i.e.* under Sulla's constitution, by which the senate received full control of legislation and judicial business.

regiam v. dominationem : 'your despotic sway.' *vestram* refers to Hortensius and his party, the nobility.

plebi : an archaic genitive for plebei from plebes of the 5th declension. Roby, vol. i. § 357 d.

omnia ista adepta, etc. On the overthrow of the Sullan constitution the initiative in legislation was restored to the tribunes, and the *equites* were partly readmitted to the *iudicia*, sharing with the senators and tribuni aerarii the privilege of serving as iudices. B.C. 70.

176. **recta regione** : 'straight line, path.' Cf. Livy xxi. 31, med. : *non recta regione iter instituit, sed ad laevam in Tricastinos flexit.* Cf. *e regione* = in a straight line, Lucr. vi. 823.

tacita existimatio. The voice of public opinion had been practically 'silenced' by Sulla, when he restricted the rights of the tribunes *agendi cum populo*. See note § 163.

liberum : 'free-spoken')(tacita.

tua fiducia : 'relying on you.' *tua* for the objective genitive *tui*. Roby § 1315.

69. 177. **rationem . . . officii** : a periphrasis for *officium*, rationem

being used in the mercantile sense of 'account': *tr.* 'my debt of duty is paid.'

iniquissimis meis: 'my bitterest foes.' Cf. *pro Mil.* 9, 25, *inimicissimum suum.*

paucis horis p. actionis: the *actio prima* lasted but nine days in spite of all Verres and Hortensius could do to prolong the trial till the following year. See Introd. § 11.

ratio atque incl. temp.: 'the spirit and bias of the times.'

alium ordinem: *i.e.* the equites; see note § 175, *omnia ista adempta.*

lege: the *lex Aurelia* of L. Aurelius Cotta (B.C. 70) which enacted that the iudices should be chosen equally from the senators, equites and tribuni aerarii, and not from the senators alone, as under the Sullan constitution. Momm. iv. p. 95.

is: L. Aurelius Cotta. quo nomine = cuius n. 'in whose name.'

promulgandam. This was the technical word for making known a proposed new law before it was actually discussed in the Comitia. Cicero says that V. himself was the real promulgator of this bill, as it was the fear of his being acquitted by a jury composed of senators alone that led to its being proposed.

cum primo agere: *i.e.* when he delivered the actio prima. The actual terms of the bill were not published till after the summary conclusion of the trial of Verres (*i.e.* till after the actio prima), though various proposals were being made for some change in the iudicia before the commencement of the case. See *Actio* i. § 2: *nunc in ipso discrimine ordinis* (*i.e.* senatorum) *iudiciorumque vestrorum . . . reus in iudicium adductus est G. Verres*: 'in the midst of the agitation concerning your order and its tenure of the law-courts, is G. Verres brought to trial.'

posteaquam . . . promulgata est. Verres had of course been convicted when the five orations of the second book were written, but C., to give vividness to his speeches, keeps up the deception of supposing him to be undergoing a second indictment (see Appendix), and says that the lex was immediately proposed when Verres was thought to be gaining fresh energies and support (by bribery), *i.e.* during the interval between the first and second hearing. Cf. *sua spe atque opinione quam de vobis habet*: above.

aut populus R., etc.: 'either the Roman people will pass judgment upon that man, whom they will already have considered unworthy of the office of judge; or those men, who, through the misconduct of the courts, shall by the new law be appointed new judges, will pass judgment on the late judges.' The meaning is not very clear, owing to the uncertainty of who is meant by *eo*

homine. The above rendering follows Halm and Eberhard, who refer *eo* to the corrupt judge implied in the previous clause. Long reads *putarit*, and refers *eo* to Verres, translating 'whom they have already considered unworthy of a trial (c. 63).' As translated above, the sentence conveys a double threat to the senatorial judges; either impeachment before the people if they fail in their duty, or before a new body of judges composed, in part, of the equites whose participation in the judicial prerogatives would be hastened by any dishonest verdict in the present case, by ensuring the passing of the lex Aurelia. It is one more note of warning to the senate that their tenure of the *iudicia* depends on their conduct in this trial.

70. 179. **ut non dicam** = *ut taceam*: 'how far I must go before I keep silence': *i.e.* I must pursue the case to its close: if V. be acquitted here, I must impeach him before the people.

expilatae provinciae: Introd. § 5.

in discrimen ac iud. = **in iudicii discrimen.**

180. **studio**: 'inclination'; **voluntate**: 'free will.'

M. Catonis. M. Porcius Cato, the Censor, consul B.C. 195, surnamed *Sapiens*, was born of plebeian family about B.C. 234, and served with distinction through the Second Punic War. He is the principal character in Cicero's dialogue 'de senectute,' and is chosen by Horace as a typical example of the old Roman simplicity and austerity in an age which was fast becoming enervated by corruption and luxury. (Hor. 2 *Od.* xv. 11.)

sui generis initium. Cato was the first of his family to hold any curule office (*i.e.* he was a *novus homo*), and thus was the first to introduce into it the *ius imaginum*. See note to § 36.

inimicitias. In the *div. in Caecil.* § 63 Cicero says: *M. Catonem illum Sapientem cum multis graves inimicitias gessisse accepimus propter Hispanorum iniurias*: 'we have heard that the wise M. Cato became the bitter enemy of many men, on account of the injustice done to the Hispani,' referring to Cato's denunciation of Galba for his perfidy and treachery towards the Lusitanians, B.C. 150. Cato also quarrelled with Scipio during the last campaigns against Hannibal, for his lavish distribution of the spoil among the troops, which tended, he said, to enervate the old warlike spirit of the Roman armies.

summam senect. Cato died B.C. 149, aged 85.

181. **Q. Pompeius** (Rufus), consul B.C. 141, served with little success and less honour in Spain, where he unsuccessfully laid siege to Numantia. Cicero speaks of him (*Brut.* 25) as an orator of

no mean power, who had worked his way up to the highest honours without any family influence. He was accused of extortion in B.C. 139, but was acquitted, although he had against him some of the most powerful men in Rome.

C. Fibriam : cons. 104 (with C. Marius, who was then holding his second consulship). C. Caelius Caldus, cons. 94.

71. regio : 'direction.' Cf. § 176.

locum aperuerimus : 'if we lay ourselves open to . . .' The metaphor is, of course, from defective or ill-fitting armour.

182. **non fere quisquam** : 'hardly anyone'; *lit.* 'no one, scarcely.'

nullis nostris off. Cf. § 64, *cuidam amico suo.*

183. **satis factum.** Cf. § 139, *satis est factum Siculis*, etc.

receptum : 'undertaken as a trust or duty.' Cf. *reddo*, 'to give as one's due': *div. in Caecil.* § 26 : *ego in hoc iudicio mihi Siculorum causam* receptam, *populi Romani* susceptam *esse arbitror.* See note § 139 of this speech.

corrupti iudicii : 'of *having corrupted* the court.' 'The common reading is *corrumpendi*, on which Madvig observes that among classical writers this use of the gerundive is confined to present time.'—Long.

artifices ad corr. : 'masters in the art of corrupting.' Cf. *de Fin.* 2, § 116 : *artifex comparandarum voluptatum* ; *de Orat.* i. 23 : *dicendi artifices et doctores.*

disceptante = iudicante. Cf. Livy v. 4 : *ipso exercitu disceptante* : 'in the judgment of the army.'

72. 184. **Nunc te**, etc. A recapitulation of all the sacrilegious acts of Verres, in the form of an invocation to the gods whose temples he had plundered.

donum. This was a golden candelabra of exquisite workmanship and set with gems, which the two sons of Antiochus, king of Syria, had intended as a gift to the temple of Jupiter. Verres had asked them to send him the treasure to look at, and had forgotten to return it. See bk. iv. c. 27, 28.

dignum regio munere. So Verres had called it *dignam rem esse regno Syriae, dignam regio munere, dignam Capitolio.* He might have added *dignam Verre!*

simulacrum : a statue of Ζεύς Οὔριος ; iv. § 128.

185. **cuius simulacrum.** Cicero, in bk. iv. § 74, has an interesting description of this statue. It was of colossal size, clad in the stola or long robe reaching to the feet, the quiver and arrows hung from the shoulder, in the left hand was a bow, and in the right a flaming torch.

P. Africani victoria. See note to § 124.

Mercuri. § 124 and iv. § 84.

186. **nocte intempesta.** Note § 92.

conatus est. The attempt of Verres' emissaries on this temple was unsuccessful. The attendants were roused, and the whole city turned out and drove off the plunderers with showers of stones. A couple of tiny images (*sigilla perparvula*) was all they managed to secure, and saved them, as Cicero sarcastically remarks, from returning absolutely empty-handed to the sacrilegious robber. bk. iv. § 95.

Mater Idaea = Cybele, Mater Magna. iv. 97.

nomen modo Africani. Cf. iv. § 97 : *in hoc fano loricas galeasque aëneas, caelatas opere Corinthio, hydriasque grandes idem ille Scipio posuerat et suum nomen inscripserat* : 'in this shrine Scipio had also deposited some brazen breast-plates and helmets, worked in Corinthian relief, and some huge urns, and had inscribed his name thereon.'

Castor et Pollux. The temple of the Dioscuri, or *aedes Castoris* as it was generally called, was vowed by the dictator A. Postumius after the battle of Lake Regillus, B.C. 496. It was built ten years later on the south side of the Forum, on the spot where the two heroes watered their horses after the battle.

consiliorum : referring to the meetings of the senate which were frequently held in the temple of Castor.

iudiciorum testes : *e.g.* the trial of Verres himself took place in this temple.

quaestum . . . comparavit. In bk. i. c. 50 foll. Cicero shows how Verres, as praetor urbanus, made considerable gain out of the contracts for repairing the temple of Castor.

ludorum : *i.e.* the *ludi circenses*. *iter* refers to the sacred procession (*pompa*) from the Capitol to the Circus Maximus with which the games commenced, and in which the images of the most important gods were carried on sacred vehicles (tensae). Verres had apparently made profit by selling the contract for the repair of the streets through which this procession passed. See bk. i. § 154.

exigendum : exigere = to demand the performance of any duty. Cf. i. § 154, *viam exegisti*, 'demanded the construction of the road.'

occultissimis : referring to the 'mysteries' in connection with the Ἐλευσίνια, a festival held at Eleusis in honour of Demeter (Ceres) and Persephone (Libera).

a Graecis ascita. Cf. *pro Balb.* 24, 55 : *sacra Cereris . . . adsumpta de Graecia et per Graecas semper curata sunt sacerdotes* :

'the sacred rites of Ceres were imported from Greece and were always administered by Grecian priestesses.'

Catina : Henna. bk. iv. §§ 99, 107.

188. **sanctissimae deae :** *i.e.* Ceres and Libera ; lacus lucosque, iv. § 107.

religionibus : concrete 'sacred objects, statues, etc.' Cf. bk. iv. § 95, *praedonem religionum.*

nefario quodam. See note § 29, *novo quodam genere.*

189. **mihique posthac.** See *de Off.* ii. 14, 50, quoted on the first page. *necesse sit* implies that his accusation of Verres was undertaken as an unwelcome duty to the Sicilians.

APPENDIX

REPETUNDAE.

The word Repetundae (sc. *pecuniae*) was applied in its most restricted sense to the money or other valuable property which a provincial governor had illegally appropriated. In course of time the meaning of the word was extended to embrace any act of maladministration, oppression, or corruption on the part of such governor, and was further made to cover the taking of bribes by *iudices*, and, in general, any fraudulent proceeding on the part of any magistrate in the discharge of his official duty. The word, however, was not restricted to the actual objects sought to be recovered, but was also sometimes applied to the offence itself in the sense of 'extortion': e.g. *repetundarum reus, argui*, etc.

The crime of Repetundae was one which grew with the growth of the Roman empire. In the earliest days of the republic the offence is unheard of, for opportunities for committing it were wanting: but the gradual extension of Roman conquest, necessitating as it did the sending out of special magistrates to the newly acquired provinces, opened up to unscrupulous magistrates an almost unlimited field for amassing private wealth at the expense of the unfortunate provincials. Law after law was passed more clearly and closely defining the offence, with the object of repressing the growing cupidity of magistrates, but all were equally inefficacious.

The first legislative enactment that dealt directly with the subject was the *Lex Porcia* of M. Porcius Cato, B.C. 198, which apparently limited the amount which a governor could legally demand from the provincials for the necessary expenses of administration. The next law was the *Lex Calpurnia*, proposed in B.C. 149 by L. Calpurnius Piso, a tribune of the people. By this law the trial of cases of Repetundae was referred to a 'standing

commission' (*Quaestio perpetua*), all previous methods of dealing with such cases having proved unsatisfactory. The commission was presided over by the Praetor Peregrinus, the *iudices* being chosen from the Senate and serving for a year—hence the term '*perpetua*'. The lex further provided that only foreigners could maintain an Actio Repetundarum. Roman citizens under similar circumstances could recover by the ordinary civil processes. The next enactment of importance was the *Lex Servilia* (? B.C. 106) proposed by the Tribunus Plebis, C. Servilius Glaucia, by which not only provincial governors but all magistrates were made equally liable to prosecution for the abuse of their judicial power. The law also introduced into cases *De Repetundis* a peculiar arrangement called *Comperendinatio*, by which all such trials were divided into two distinct parts—*actio prima* and *secunda* : in the first of which the accuser sketched out the case in outline and the defender replied, witnesses being examined and cross-examined. No verdict, however, was given at the first hearing, but the case was adjourned till the next day but one (*perendie*—hence the name) when the trial proceeded and a verdict was pronounced. (Verres anticipated the *actio secunda* by voluntary exile, hence a verdict was in his case given after the *actio prima*.) Under this law, too, Iudices to the number of 450 were annually chosen by the presiding praetor from non-senators, from whom the requisite number were taken by lot for each case—both parties to the suit having the right of rejecting a certain number. The penalty fixed by the lex was twice the amount of the extortion proved to have been committed. This law was followed in B.C. 101 by the *lex Acilia*, passed by M. Acilius Glabrio, which took away the '*comperendinatio*' which had been allowed by the *lex Servilia*. Then came the *lex Cornelia* of Sulla, B.C. 81, which restored the '*comperendinatio*,' and, among other provisions, enacted that a provincial governor should be held liable to prosecution if he took money for the purpose of having statues erected to him and failed to have the statues set up within five years ; and that no aedile should borrow works of art from the provinces for the adornment of their shows at Rome. The penalty was increased to four times the amount of the extortion, with the additional punishment of outlawry (*ignis et aquae interdictio*), and provisions were made for tracing and recovering any of the plunder that

might have found its way into other persons' hands. It also made magistrates liable to prosecution who did not give in their pro consular accounts to the treasury. The last enactment on the subject was the *lex Julia*, passed in B.C. 59 in the first consulship of C. Julius Caesar. It ordained that persons convicted of Repetundae should lose their rank and be disqualified from being witnesses, iudices, or senators.

The Verrine prosecution then was conducted under the *lex Cornelia*—though Verres seems to have been mulcted in only two and a half times the amount of his extortions; and though this law had considerably enlarged the limits within which a charge for Repetundae fell, Cicero allows himself still further latitude, and touches upon crimes in Verres' career on which the law was not directly operative.

[I am indebted for most of the above remarks to Long's articles on Repetundae in his edition of Cicero in the *Bibliotheca Classica*, and in the *Dict. Greek and Roman Antiquities.*]

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